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# HOUSE JOURNAL

OF THE

## Thirty-first Legislative Assembly

OF THE

STATE OF MONTANA

---

Held at Helena, the seat of Government of Said State,  
commencing January 3, 1949, and  
ending March 3, 1949

DAN J. SULLIVAN,  
Chief Clerk.

THELMA DINEEN,  
Journal Clerk.

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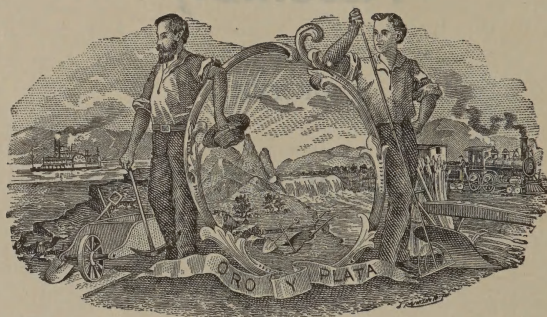
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# HOUSE JOURNAL

OF THE

## Thirty-first Legislative Assembly



Held at Helena, the seat of Government of said State,  
commencing January 3, 1912 and  
ending March 2, 1913

THEODORE E. BURTON,  
Journal Clerk.

WILLIAM J. BURTON,  
Chief Clerk.

PUBLISHED BY AUTHORITY

THE PRINTING OFFICE OF THE HOUSE OF REPRESENTATIVES

1912



# OFFICERS AND MEMBERS

OF THE

Thirty-first Legislative Assembly of the State of Montana

1949

GOVERNOR JOHN W. BONNER

Lieutenant Governor and President of the Senate: Paul Cannon

Speaker of the House: Leo C. Graybill

## Members of Senate

NAME	Residence	County	Politics
Anderson, Le Roy H.	Conrad	Pondera	Democrat
Angstman, Jess L.	Havre	Hill	Democrat
*Arnold, S. C.	Broadview	Stillwater	Republican
Aronson, J. Hugo	Cut Bank	Glacier	Republican
Balgord, O. P.	Lavina	Golden Valley	Republican
*Blair, Ralph P.	Sidney	Richland	Democrat
*Bovey, Charles A.	Great Falls	Cascade	Democrat
Brown, Chas. W.	Terry	Prairie	Independent
*Buck, Frank B.	Ekalaka	Carter	Democrat
*Burke, Tom	Billings	Yellowstone	Republican
*Busch, L. W.	Baker	Fallon	Republican
*Cole, Kenneth R.	Winnett	Petroleum	Republican
Cremer, Leo J.	Shawmut	Sweet Grass	Independent
*Dahl, Andrew	Dagmar	Sheridan	Democrat
*Doggett, Howard J.	Townsend	Broadwater	Republican
Ebert, Oliver	Wh. Sul. Springs	Meagher	Republican
*Fewkes, D. F.	Troy	Lincoln	Republican
*Fischer, P. A.	Wibaux	Wibaux	Republican
Gosman, George M.	Dillon	Beaverhead	Republican
*Haight, Herbert H.	Suffolk	Fergus	Democrat
†Haynes, F. F.	Forsyth	Rosebud	Republican
*Henderson, M. R.	Hall	Granite	Republican
Hofland, J. M.	Circle	McCone	Democrat
*Hughes, Gerald H.	Stanford	Judith Basin	Republican
James, David F.	Joplin	Liberty	Democrat
Kelly, Ray	Polson	Lake	Democrat
*Larson, Glenn H.	Thompson Falls	Sanders	Republican
Lehrkind, Carl, Jr.	Bozeman	Gallatin	Democrat
Liggett, J. A.	Roundup	Musselshell	Republican
*Lott, M. J.	Twin Bridges	Madison	Republican
*Lynch, Austin E.	Fort Benton	Chouteau	Democrat
*McQuitty, E. F.	Harlowton	Wheatland	Democrat
Mahoney, Charles H.	Jordan	Garfield	Republican
Manning, D. M.	Hysham	Treasure	Democrat
*Markle, T. H.	Glasgow	Valley	Republican
*Moss, G. M.	Whitefish	Flathead	Republican
*Mulholland, M. J.	Butte	Silver Bow	Democrat
Padbury, Fred H.	Helena	Lewis & Clark	Republican
Parriott, Edwin F.	Livingston	Park	Democrat
Phillips, Mrs. B. M.	Landusky	Phillips	Democrat
*Rice, Paul	Bynum	Teton	Democrat
Ross, Thos. A.	Chinook	Blaine	Republican
Sawtell, Henry J.	Miles City	Custer	Republican
*Simon, Archie E.	Jefferson City	Jefferson	Democrat
Spear, W. B. Jr.	Kirby	Big Horn	Republican
†Tibbals, H. A.	Saltese	Mineral	Democrat
Toman, J. Fred	Bowers	Powder River	Republican
Valiton, Don F.	Deer Lodge	Powell	Republican
Wallander, S. B.	Froid	Roosevelt	Republican
Walsh, J. D.	Glendive	Dawson	Republican
Wenger, Edward A.	Anaconda	Deer Lodge	Democrat
Wilcoxon, Sherd.	Scobey	Daniels	Republican
*Wilson, Geo. W.	Shelby	Toole	Democrat
Wilson, H. H. K.	Red Lodge	Carbon	Democrat
*Winters, W. J.	Stevensville	Ravalli	Republican
*Worden, Donovan	Missoula	Missoula	Republican

\* — Holdover.

† — Appointed to succeed G. D. Stewart, deceased.

‡ — Appointed to succeed George R. Cooper, deceased.

Claude J. McAllister, Secretary.

President Pro Tem, G. M. Moss.

President Pro Tem (Interim), M. J. Lott.

# House of Representatives

NAME	Residence	County	Politics
Andersen, Volney	Sidney	Richland	Democrat
Anderson, Eric	Regina	Phillips	Republican
Anderson, Ralph J.	Havre	Hill	Democrat
Armstrong, Ory J.	Kalispell	Flathead	Republican
Aronow, Cedor B.	Shelby	Toole	Democrat
Ballard, W. T.	Butte	Silver Bow	Democrat
Barnard, Lloyd	Saco	Valley	Democrat
Beck, Martin J.	Vida	McCone	Democrat
Blenkner, E. A.	Columbus	Stillwater	Republican
Brenner, J. S.	Grant	Beaverhead	Republican
Bricker, Ralph C.	Great Falls	Cascade	Republican
Burns, Ernest	Whitefish	Flathead	Democrat
Clark, Earl E.	Roundup	Musselshell	Democrat
Clark, Elmer	Butte	Silver Bow	Democrat
Corcoran, Dan H.	Ryegate	Golden Valley	Republican
Cotton, Robert S.	Glasgow	Valley	Democrat
Culbertson, Harry	Fort Benton	Chouteau	Democrat
Cunningham, John J.	Bridger	Carbon	Democrat
Dokken, Herman H.	Bozeman	Gallatin	Republican
Domke, David R.	Great Falls	Cascade	Democrat
Duncan, Philip C.	Whitehall	Jefferson	Democrat
Duppler, C. H.	Baker	Fallon	Republican
Dusak, John F.	Great Falls	Cascade	Democrat
Dwyer, Robert G.	Butte	Silver Bow	Democrat
Emmons, John	Anaconda	Deer Lodge	Democrat
Esp, Leonard J.	Big Timber	Sweet Grass	Republican
Ewing, Guy L.	Townsend	Broadwater	Democrat
Foley, Edward J.	Butte	Silver Bow	Democrat
Frerich, J. H.	Poplar	Roosevelt	Republican
Ganson, William L., Jr.	Terry	Prairie	Republican
Gebhardt, R. H.	Billings	Yellowstone	Republican
Goodgame, Allen	Troy	Lincoln	Democrat
Graybill, Leo C.	Great Falls	Cascade	Democrat
Gunderson, Ole S.	Power	Cascade	Democrat
Hall, Earl H.	Gardiner	Park	Democrat
Harken, R. C.	Forsyth	Rosebud	Democrat
Harlow, Paul K.	Thompson Falls	Sanders	Democrat
Harpster, John	Glendive	Dawson	Republican
Hawks, Clyde L.	St. Xavier	Big Horn	Republican
Haytin, John J.	Helena	Lewis & Clark	Republican
Helding, Oscar	Missoula	Missoula	Democrat
Hess, H. H.	Havre	Hill	Democrat
Hoiness, Melvin N.	Billings	Yellowstone	Republican
Holtz, Ronald W.	Portage	Cascade	Democrat
Howard, W. C.	Wibaux	Wibaux	Democrat
Hunter, Dr. W. L.	Helena	Lewis & Clark	Republican
Jarussi, John M.	Joliet	Carbon	Democrat
Jensen, Arthur N., Sr.	Superior	Mineral	Democrat
Karlborg, John	Missoula	Missoula	Democrat
Koch, Thos. P.	Hamilton	Ravalli	Democrat
Krieg, Fred C.	Billings	Yellowstone	Republican
Laas, Walter	Chester	Liberty	Democrat
Loble, Henry	Helena	Lewis & Clark	Democrat
Loughran, Mike	Butte	Silver Bow	Democrat
MacDonald, John J.	Jordan	Garfield	Democrat
McCarthy, June	Butte	Silver Bow	Democrat
McElwain, Joseph A.	Deer Lodge	Powell	Republican
McKenna, J. E.	Lewistown	Fergus	Democrat
Martin, C. Lester	Harrison	Madison	Republican
Mernin, Henry F.	Butte	Silver Bow	Democrat
Michels, Lloyd J.	Medicine Lake	Sheridan	Democrat
Mulrone, Thomas E.	Missoula	Missoula	Republican
Nixon, Richard	Hogeland	Blaine	Democrat
Oliver, John	Ekalaka	Carter	Republican
O'Neil, Carle F.	Kalispell	Flathead	Democrat
Page, John R.	Philipsburg	Granite	Democrat
Page, Winfield E.	Missoula	Missoula	Republican
Peters, Carl B.	Billings	Yellowstone	Republican
Peterson, N. A.	Valier	Pondera	Democrat
Phillips, R. J.	Lewistown	Fergus	Republican
Pierce, Geo. R.	Billings	Yellowstone	Republican
Robertson, I. A.	Ronan	Lake	Democrat
Rostad, Orville	Lennep	Meagher	Republican
Sales, W. L.	Manhattan	Gallatin	Republican
Scofield, Charles L.	Biddle	Powder River	Republican
Skibby, E. J.	Winnett	Petroleum	Republican
Smith, Gene A.	Anaconda	Deer Lodge	Democrat

# HOUSE OF REPRESENTATIVES—(Continued)

NAME	Residence	County	Politics
Standish, Lyle.....	Choteau.....	Teton.....	Republican
Taber, C. J. ....	Hamilton.....	Ravalli.....	Republican
Taylor, E. N. ....	Scobey.....	Daniels.....	Republican
Tierney, Frank.....	Butte.....	Silver Bow.....	Democrat
Tripp, Dr. Myron.....	Billings.....	Yellowstone.....	Democrat
Trout, Keith W. ....	Miles City.....	Custer.....	Democrat
Van Dyke, William.....	Harlowton.....	Wheatland.....	Democrat
Westlake, Lovitt I. ....	Bozeman.....	Gallatin.....	Democrat
Wiedman, R. H. ....	Polson.....	Lake.....	Republican
Williams, Edward C. ....	Cut Bank.....	Glacier.....	Democrat
Wilson, Archie.....	Hysham.....	Treasure.....	Republican
Wilson, J. Harry.....	Stanford.....	Judith Basin.....	Democrat
Working, Paul.....	Wilsall.....	Park.....	Republican

Chief Clerk· DAN J. SULLIVAN, Butte.



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1	Introduced by Committee on Employment: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-First Legislative Assembly of the State of Montana."	5, 6, 10, 11, 25, 30, 31, 35, 314
2	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of mileage and per diem to the members of the Thirty-First Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Thirty-First Legislative Assembly of the State of Montana."	9, 25, 31, 35, 314
3	Introduced by Anderson of Phillips, Scofield, Blenkner, Armstrong: A bill for an act entitled: "An act for the submission to the qualified electors of the state of Montana of an amendment to Section one (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the separation of the Bureau of Labor and Industry from the Bureau of Agriculture."	26, 38, 44, 49, 53, 58, 69, 76, 83, 85, 86, 87, 148, 174, 270, 314
4	Introduced by Domke, Burns, Dwyer, Tripp, Mernin, Holding and MacDonald: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIII of the Constitution of the State of Montana, relating to the creation of indebtedness against the State of Montana: authorizing the legislative assembly to provide by legislation for the payment of an adjusted compensation to persons serving in the Armed Forces of the United States during World War II: to levy taxes and appropriate monies, contract debts, issue and negotiate bonds or certificates of indebtedness, or both, and to pledge the public credit, if and whenever authorized and in such amounts and on such terms as may be fixed by the legislature for the payment of such adjusted compensation, and declaring such to be a public purpose."	31, 53, 129, 130
5	Introduced by Oliver, Duppler, Scofield, Taber, Mulrone, Page (Missoula), Holding, Smith, Tierney, McCarthy, Loughran, Clark (Silver Bow), and Dusak: A bill for an act entitled: "An act providing for payment in the amount of five dollars per day for expenses of members of the Thirty-	

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6	Introduced by McKenna: A bill for an act entitled: "An act to amend Section 453 of the Revised Codes of Montana of 1935, relating to office hours of public officers." .....	35, 55, 62, 69, 71, 74, 148, 217
7	Introduced by Burns, MacDonald, Jarussi, Mernin, Tripp, O'Neil, Page (Granite), and Holtz: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to deductions allowed in computing net income by adding an additional section allowing deductions of veterans' mustering out pay, rations and quarters allowance, disability pay, and all benefits administered by the Veterans' Administration of the United States Government in computing net income." .....	35, 38, 44, 49, 60, 111,
Sub. 7	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans' Administration of the United States Government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict." .....	114, 133, 144, 148
8	Introduced by Burns, MacDonald, Jarussi, Mernin, Page (Granite): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article IX of the Constitution of the State of Montana relating to elections and voting." .....	35, 113, 137, 158
9	Introduced by Burns, Nixon, MacDonald, Jarussi, Mernin, O'Neil, Page (Missoula), Holtz: A bill for an act entitled: "An act providing for the payment of unemployment compensation in the event of sickness or disability; providing for a sickness or disability fund to be administered by the Montana Compensation Commission; providing for the assessment and collection of contributions upon the wages of employees and providing penalties for violations." .....	36, 159
10	Introduced by MacDonald, Jarussi, Mernin, Page (Granite), Holtz, Burns: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XII of the Constitution of the State of Montana, relating to	



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	exemptions of property from taxation; providing for exemptions of homesteads of veterans of World War II for a period of five years; interpreting the meaning of homestead; providing to whom such exemption shall extend, and fixing the value of such exemptions." .....	36, 123
11	Introduced by Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, relating to the operation of motor vehicles while in an intoxicated condition, declaring the same a felony, providing the penalty therefore, and repealing all acts in conflict." .....	36, 113, 138
12	Introduced by Clark (Silver Bow), Loughran: A bill for an act entitled: "An act to amend Section 591, Revised Codes of Montana, 1935, as amended by Chapter 117, Montana Session Laws of 1947, relating to the compensation of election officers, increasing such compensation and providing for minimum payment for such services." .....	36, 84, 97, 110, 111, 117, 140
13	Introduced by Hawks: A bill for an act entitled: "An act to amend Section 4568 of the Revised Codes of Montana, 1935, relating to library tax, by increasing tax therein provided to two mills." .....	39, 71, 79, 91, 102, 105, 193, 220, 231, 255, 270, 314
14	Introduced by Dwyer: A bill for an act entitled: "An act providing for a veterans' credit in all examinations required by the State of Montana and defining the terms of this act as used herein, and repealing all acts and parts of acts in conflict herewith." .....	39, 48, 57, 60, 62, 64, 131
15	Introduced by Haytin and Emmons: A bill for an act entitled: "An act providing for a license tax by cities and towns on trade stimulators including punch boards, pull cards, and similar devices; fixing the amount of such tax, prescribing the method of administration by cities and towns subsequent to passage and approval of a proper ordinance, the disposition of the revenue from said licenses, making violation a misdemeanor, providing penalties for the violation of this act and repealing all acts or parts of acts in conflict herewith." .....	39, 324
16	Introduced by Haytin and Emmons: A bill for an act entitled: "An act authorizing and directing the Montana Liquor Control Board to charge and collect an excise tax on all liquor sold by it for the use and benefit of the counties, cities and towns of the State of Montana: and providing for the payment of said tax to the treasurers of the various counties of the state where said liquor is sold	

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	in state liquor stores, providing in addition that said tax shall be charged and collected on all liquor brought into the state and taxed by the Montana Liquor Control Board, requiring the County Clerk and Recorder in each county to file a certified statement of the number of registered voters in each incorporated city and town of the county and also the copy of the registration of the rural voters in the county based on the last registration with the Montana Liquor Control Board and file another copy with the Treasurer of their county." .....	39, 67, 68, 79, 91, 92, 96, 193, 220, 231, 255, 270, 314
17	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to reappropriate and appropriate money heretofore appropriated for the printing, binding and distribution of the Revised Codes of Montana of 1947." .....	39, 44, 49, 60, 62, 65, 194, 227, 270, 314
18	Introduced by McElwain: A bill for an act entitled: "An act to amend Section 122, Revised Codes of Montana, 1935, as amended by Chapter 181, Laws of the Thirtieth Legislative Assembly, 1947, relating to Deputy State Officers, their duties, bonds, oath and appointment." .....	39, 68, 79, 91, 102, 106, 148, 174, 270, 314
19	Introduced by McElwain and Barnard: A bill for an act entitled: "An act to amend Section 6777 of the revised Codes of Montana, 1935, relating to monuments and fences between coterminous owners of real estate; and repealing all acts and parts of acts in conflict herewith." .....	39, 51, 62, 69, 71, 75, 263
20	Introduced by Hunter and Haytin: A bill for an act entitled: "An act to provide for cancelling and refunding income taxes paid by veterans of World War II from Montana under the provisions of Sections 2295.1 through Section 2295.34, Revised Codes of Montana, 1935, on money received from United States Government and making an appropriation therefore and repealing all acts and parts of acts in conflict therewith, and providing that this act shall be valid notwithstanding any provision of the budget act." .....	40, 48, 57, 60, 77
21	Introduced by Duppler, Oliver and Howard: A bill for an act entitled: "An act prohibiting endurance	

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	<p> races of more than five miles; providing a penalty; and repealing all acts in conflict." ..... </p>	<p> 40, 55, 56, 62,  69, 71, 75, 293,  327, 328, 357, 367,  379 </p>
22	<p> Introduced by McCarthy, Loble, McKenna, Blenkner, Hoiness, McElwain, Dwyer, Ballard, Loughran, Tierney, Armstrong, Domke and Dokken: A bill for an act entitled: "An act providing for the repeal of Sections 2430, 2431, 2432, and 2433, of the Revised Codes of Montana, 1935, which said sections relate to the regulation of the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, else that may be included with or contained in chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for, or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof." ..... </p>	<p> 40, 209, 234, 257,  269, 285, 286, 327,  577, 579 </p>
23	<p> Introduced by Tripp: A bill for an act entitled: "An act to amend Section 10400.4, Revised Codes of Montana, 1935, relating to inheritance tax exemptions providing for exemption from the first twenty-five thousand dollars of an estate all property transferred to corporations or voluntary associations organized solely for religious, charitable, educational, and other public purposes; providing this act retroactive and applicable to all estate of certain decedents." ..... </p>	<p> 40, 72 </p>
24	<p> Introduced by Loble and Bricker: A bill for an act entitled: "An act creating a commission to study the tax structure of Montana, prescribing its duties and authority, providing for its compensation and expenses connected therewith, and appropriating a fund therefor." ..... </p>	<p> 44, 209, 375 </p>
25	<p> Introduced by Westlake, McKenna and Wiedman: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to Section 5, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness or liability of a county without the approval of a majority of the electors thereof." ..... </p>	<p> 46, 56, 112, 145,  164, 165, 168, 180,  181, 598, 619, 628,  638 </p>
26	<p> Introduced by MacDonald: A bill for an act entitled: "An act to amend Section 4464, Revised Codes of </p>	

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	Montana, 1935, as amended by Chapter 176, Session Laws of 1939, relating to compensation and mileage of county commissioners." .....	46, 56, 62, 69, 71, 75, 160, 174, 270, 314
27	Introduced by Holding and Mulroney: A bill for an act entitled: "An act to amend Section 2430 of the Revised Codes of Montana of 1935, relating to licenses required for furnishing premiums or bonuses for sale of merchandise." .....	46
28	Introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to amend Sections 2912, 2913, 2914 and 2915 of the Revised Codes of Montana of 1935, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, and to amend Section 2918 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, and to amend Section 2920 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, all relating to compensation for injuries to workmen by increasing compensation in cases of: Temporary, total, and total partial disabilities, for injuries causing death, and date from which compensation is to be paid in case of death, and for specified injuries." .....	46, 55, 66, 76, 83, 87, 148, 183, 184, 270, 314
29	Introduced by Clark of Silver Bow and Rostad: A bill for an act entitled: "An act pertaining to financial responsibility of operators and owners of motor vehicles; defining terms; providing for administration; providing for report of operating record; requiring reports of accidents; requiring security or evidence of insurance; exceptions to requirement of security; providing for suspension of license and duration thereof; providing for non-residents, unlicensed drivers and unregistered motor vehicles; defining form and amount of security; providing for custody and disposition of security; providing for matters not to be used as evidence in civil suits; providing for courts to report non-payment of judgments and convictions; providing for suspension for non-payment of judgments; providing for payments sufficient to satisfy requirements; providing for installment payment of judgment; providing for proof required for certain convictions; providing for alternate method of giving proof of financial responsibility; providing for certificate of insurance as proof; providing for certificate furnished by non-resident as proof; defining a motor vehicle liability policy; providing for notice of cancellation or termination of certified policy; providing for bonds as	

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	proof of financial responsibility; providing money or securities as proof of financial responsibility; permitting owner to give proof for others; substitution of proof of financial responsibility; providing for other proof which may be required; defining duration of proof and providing when proof may be cancelled or returned; prohibiting transfer of registration to defeat purpose of act; providing for surrender of license and providing for certain exceptions; providing for and defining self-insurers; providing for the past application of act; providing for penalties in violation hereof; and repealing Chapter 129 of the Twenty-Fifth Legislative Assembly, and Chapter 213 of the Thirtieth Legislative Assembly." .....	46, 134, 341
30	Introduced by Committee on Education: A bill for an act entitled: "An act to amend Sections 1, 4, 5, 6, 8 and 12 of Chapter 87 of the Laws of 1937, as amended by Chapters 202 and 215 of the Laws of 1939, and Chapters 15 and 137 of the Laws of 1945, relating to the Teachers' Retirement System of the State of Montana; and repealing all acts and parts of acts in conflict herewith." .....	48, 51, 71, 83, 109, 126, 145, 153, 293, 326, 328, 357, 367, 379
31	Introduced by Committee on Education: A bill for an act entitled: "An act providing 'transportation' service for all public school pupils residing two and one-half (2½) miles for an open public school; defining 'transportation' for the purposes of this act to include services furnished in lieu of transportation; designating who shall be eligible to receive 'transportation'; providing that pupils attending other than public schools may ride on a school bus; defining the term school bus, providing the requirements as to school busses, drivers, and the operation of busses, fixing the amount of liability insurance upon school busses; providing that school boards may close schools and transport pupils to another school, providing the procedure therefor and defining the duties of school boards and the county superintendents of schools in such cases; providing that no school money should be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and the filing of the same; providing schedule for transportation costs for computing state aid and schedules for paying for individual transportation or services in lieu of bus transportation; providing for reimbursement for the costs of transportation from State funds and the schedule of maximum expenses to be so reimbursed; providing that boards of trustees may require additional safety requirements for school busses; providing for quarterly reports to the Superintendent of Public Instruction; providing a fund	



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	for bus depreciation; repealing Chapter 152 of the Session Laws of Montana for 1941 as amended by Chapter 189 of the Session Laws of Montana for 1943, as amended by Chapter 116 of the Session Laws of Montana for 1945, and as last amended by Chapter 169 of the Session Laws of Montana for 1947, together with all acts and parts of acts in conflict herewith." .....	53, 80, 81, 102, 125, 396, 410, 423, 440, 449, 460, 597
32	Introduced by Harlow, Tripp, O'Neil, Holding, Karlberg and Harken: A bill for an act entitled: "An act relating to the legislature creating and establishing a legislative council from the members thereof; providing for their selection, terms, powers, duties, rules, finding and reports, and regulating the functions, expenditures and other activities of said council and making appropriation therefor." .....	54, 209
33	Introduced by Aronow and Mulroney: A bill for an act entitled: "An act providing that all contracts, except oral contracts and contracts written by hand, shall be void unless printed in type not smaller than 7 point." .....	54, 372, 538
34	Introduced by Committee on Education: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment of Section 6 of Article XI of the Constitution of the State of Montana relating to the maintenance of a public, free common school in each organized district of the state." .....	54, 112, 137, 157, 331, 345, 358, 361
35	Introduced by Domke, Burns, Armstrong, Loble and Martin: A bill for an act entitled: "An act providing educational opportunities for the children of members of the Armed Forces of the United States who were killed in action, died during World War II or subsequent thereto as a result of service-incurred disabilities; providing for an appropriation therefore." .....	54, 61, 62, 68, 104, 110, 111, 118, 242, 257, 285, 332, 343, 345
36	Introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.25 of the Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207, of the Montana Session Laws, 1945, and by Section 3 of Chapter 254, of the Montana Session Laws, 1947, providing for an increase in the rental rate of State lands." .....	54, 94, 433, 462, 464, 465, 467, 476, 610, 626, 633, 634, 636, 657, 666

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37	Introduced by Domke and Loble: A bill for an act entitled: "An act relating to the licensing of 'juke boxes,' or other coin operated mechanical or electrical musical device; fixing the amount of such license fee; prescribing the method of administration by the State Board of Equalization; defining the terms used herein; providing penalties for the violation of this act; making an appropriation to carry out the provisions of this act, and repealing all acts and parts of acts in conflict herewith."	54, 84
38	Introduced by Esp and Scofield: A bill for act entitled: "An act to appropriate \$50,000.00 for the equipping of the veterinary research laboratory at the Montana Agricultural Experiment Station and for necessary improvements." .....	56, 68, 437, 464, 465, 467, 474, 605, 628, 635, 638
39	Introduced by Standish: A bill for an act entitled: "An act to appropriate money for the payment of assessments, penalty, and interest on delinquent assessments on certain State lands in the Bynum irrigation district, Teton County, Montana." .....	57, 98, 160, 222, 248, 261, 286, 494, 528, 540, 557, 568, 583
40	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 5653 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of Montana, 1937, and by Chapter 160 of the Session Laws of Montana, 1943, and by Chapter 223 of the Session Laws of Montana, 1947, providing for preference in employment of honorably discharged men and women from service in wars in which the United States is or has been involved, in every public department, and upon all public works of the State of Montana, and of any county and city thereof, and providing that when written or oral examinations are required disabled veterans shall be given a credit of ten (10) points and all other veterans shall be given a credit of five (5) points in the marking of their examination papers, and repealing all acts and parts of acts in conflict herewith." .....	57, 61, 71, 83, 92, 95, 96, 293, 327, 328, 357, 367, 379
41	Introduced by Foley and Dwyer: A bill for an act entitled: "An act to prohibit the giving, promising or offering or the causing to be given, promised, or offered to any participant or to any person expecting to participate in any professional or amateur sport, contest, baseball, football, hockey, basketball, boxing, tennis, or polo game, or to any employee, steward, trainer, judge, starter, policeman, manager or coach, any valuable thing with	

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	intent to influence the losing or limiting the margin of victory of any such professional or amateur game, sport, or contest, or the soliciting or acceptance of any valuable thing therefor; providing a penalty therefore; and repealing all acts and parts of acts in conflict herewith." .....	59, 128, 149, 160, 200, 220, 227, 232, 356, 538
42	Introduced by Tripp, Taber, Tierney, McCarthy, Foley, Jarussi, Mernin, Gunderson, Holding, Barnard and Karlberg: A bill for an act entitled: "An act to amend Section 10957, Revised Codes of Montana, 1935, and repealing Sections 12093, 12094, 12101, 12102, 12103 and 12104, Revised Codes of Montana, 1935, all relating to punishment for murder, and all other acts and parts of acts in conflict herewith." .....	60, 72, 88, 101, 110, 538
43	Introduced by Jarussi and Cunningham: A bill for an act entitled: "An act to amend Section 5130 of the Revised Codes of Montana, 1935, relating to reports, books and accounts of fire department relief associations and examination thereof, to provide fixed fees for such examination." .....	61, 70, 83, 84, 134, 144, 149, 156, 448, 482, 492, 538
44	Introduced by McCarthy, Tierney, Burns, Mernin, Emmons, Holding and Dusak: A bill for an act entitled: "An act creating the Old Age Assistance Commission; providing for an Old Age Assistance Board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an Old Age Assistance Fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; making applicable existing provisions of Chapter 82. Laws of Twenty-Fifth Legislative Assembly and of part of III of said Chapter 82, and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens of the State of Montana, and repealing all acts and parts of acts in conflict herewith." .....	61, 98, 104, 226
45	Introduced by Trout, Harlow, Gunderson, Emmons, Loble, Holding and Peterson: A bill for an act entitled: "An act to amend Section 6577 of the Revised Codes of Montana, 1935, relating to the size and equipment of all caboose cars used and operated by any railroad or railway in the State of Montana; providing for the time in which said act	

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	becomes effective and repealing all acts and parts of acts in conflict herewith." .....	63, 187, 209, 226, 227, 236, 597
46	Introduced by MacDonald: A bill for an act entitled: "An act to amend Sections 1, 2 and 3 of Chapter 150 of the Session Laws of Montana, 1945, and Section 4 of Chapter 150 of the Session Laws of Montana, 1945, as amended by Chapter 91 of the Session Laws of Montana, 1947, relating to the salaries of county officers, providing for minimum salaries and for the method and procedure for fixing and determining all salaries; requiring boards of county commissioners to fix such salaries in accordance with such method and procedure and repealing all other acts and parts of acts in conflict herewith." .....	64, 147
47	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money from the Hail Insurance Administrative Fund of the State of Montana for the purpose of maintenance and operation of the State Board of Hail Insurance for the year ending June 30, 1949, the appropriation made by the Thirtieth Legislative Assembly having been found to be insufficient." .....	64, 77, 88, 101, 102, 106, 194, 227, 270, 314
48	Introduced by Oliver: A bill for an act entitled: "An act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana of 1935, as amended by Sections 1 and 2, Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, as amended by Sections 1 and 2, Chapter 201 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to mileage for members of the Legislative Assembly, State officers, county officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage when using their own automobiles in the performance of official duties." .....	64, 68, 79, 91, 92, 134, 164, 165, 170, 254
49	Introduced by Laas and Smith: A bill for an act entitled: "An act to amend Section 2736.7 of Chapter 248, Revised Codes of Montana, 1935, by prohibiting the operation of aircraft in such a manner as to endanger the life or property of others." .....	64, 104, 133, 144, 149, 155, 218, 255, 270, 314
50	Introduced by Page (Granite): A bill for an act entitled: "An act to amend Section 8 of Chapter 289, Laws of the Thirtieth Legislative Assembly, 1947, relating to discount allowed on purchase of stamps, and repealing all acts in conflict." .....	64, 122, 137, 158, 159, 162, 217

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51	Introduced by Bricker: A bill for an act entitled: "An act relating to and regulating mausoleums and columbariums and the interment of dead human remains therein, regulating crematories in connection with mausoleums and columbariums, providing for and regulating endowment care funds for mausoleums and columbariums, and providing penalties for violation thereof." .....	64, 93, 137, 164, 184, 198, 343, 345, 359, 392, 397, 422
52	Introduced by Harlow: A bill for an act entitled: "An act to amend Chapter 140, of the Laws of the Twenty-Fifth Legislative Assembly of 1937, as amended by Chapter 188, of the Thirtieth Legislative Assembly of 1947, relating to establishment of adult education schools: Providing for a tax levy for the support and maintenance thereof, and repealing all acts and parts of acts in conflict herewith." .....	68, 122, 137, 163, 165, 171, 355
53	Introduced by Westlake, Dokken and Sales: A bill for an act entitled: "An act to amend Section 5447 of the Revised Codes of Montana of 1935, relating to compensation of commissioners and mayor under the commission-manager plan of government." .....	68, 70, 79, 91, 102, 106, 194, 227, 270, 314
54	Introduced by Loble: A bill for an act entitled: "An act to amend Section V, Part III, Chapter 82 of of the Laws of 1937, as amended by Section 1 of Chapter 69 of the Laws of 1947, and to amend Section X, Part V, Chapter 82 of the Laws of 1937, as amended by Section 2, Chapter 69 of the Laws of 1947 relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for old age assistance, and relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for aid to needy blind." .....	68, 122, 137, 158, 165, 171, 605, 619, 628, 638
55	Introduced by Loble, Graybill and Peters: A bill for an act entitled: "An act to appropriate money from the General Fund to design, engineer, construct and erect suitable buildings to be used as a home for senile men and women: Providing for the acquisition of a tract of irrigated land to be used as a site for said home for senile men and women: Providing for a committee of nine (9) to select said site for said home for senile men and women: And appropriating funds for the expenses of said committee." .....	68, 374
56	Introduced by Emmons and Smith: A bill for an act entitled: "An act relating to salary and small in-	



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	stallment loans: Providing for regulating licensing persons and others making loans of money less than three hundred dollars (\$300.00); providing maximum rate of interest to be charged: Providing for supervision by the Superintendent of Banks of the State of Montana; providing for filing of monthly statements with said State Superintendent of Banks; providing other matters pertaining to such loans; providing for recovery for overcharges; providing for cancellation of licenses, and repealing all acts in conflict." .....	68, 365, 379, 414, 416, 423, 440, 443, 466
57	Introduced by Jarussi, Gunderson, Holtz, Gebhardt, Tierney, Domke, Hall, Bricker, Haytin, Page (Missoula), Beck, Sales and Mulroney: A bill for an act entitled: "A supplemental appropriation bill providing for lighting the capitol grounds and the dome of the state capitol building at Helena and making an appropriation of money to carry out the provisions of this act." .....	73, 84, 417, 582
58	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to repeal Sections 4495 to 4500 inclusive, Revised Codes of Montana, 1935, relating to rodent law." .....	73, 90, 111, 131, 140, 157, 173, 175, 181, 448, 482, 492, 538
59	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice, and other rodents and related animals which are injurious to agriculture, other industries, and the public health: To authorize cooperation with the United States Department of the Interior, Fish and Wildlife Service, in the control of such noxious rodents and related animals: And to provide funds to enable the State of Montana Livestock Commission to carry out the provisions of this act." .....	73, 90, 436, 464, 465, 467, 473, 587, 600, 601, 614, 621
60	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to authorize the Boards of County Commissioners of the State of Montana to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice and other rodents and related animals which are injurious to agriculture, other industries, and the public health; to authorize cooperation with the Montana Livestock Commission and with the United States Department of the Interior, Fish and Wildlife Service; and to pro-	

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	vide funds to enable the Boards of County Commissioners to carry out the provisions of this act."	73, 90, 111, 131, 140, 157, 173, 175, 182, 450, 491, 546, 547, 621
61	Introduced by Aronow: A bill for an act entitled: "An act to amend Section 5108.7 of the Revised Codes of Montana, 1935, as amended by Chapter 78 of the Montana Session Laws of 1937, relating to the tax levy for the payment of police reserves in cities and towns of the first and second class in the State of Montana and specifying the limitation of such levies." .....	73, 89, 111, 133, 144, 149, 155, 448, 482, 492, 583
62	Introduced by Tripp, Holding, Smith, Karlberg, Holtz, Dusak and Mernin: A bill for an act entitled: "An act prohibiting certain practices of discrimination by employers, employment agencies, labor organizations and others because of race, color, creed, national origin or ancestry; creating the Montana Fair Employment Practices Commission; defining its functions, powers, and duties; providing for its procedure, enforcement powers, and judicial review; imposing penalties; and making an appropriation therefor." .....	73, 186
63	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to provide revolving funds for each of the several divisions of the Department of Agriculture, Labor and Industry, the method of creating and using the funds and repealing all acts and parts of acts in conflict herewith." .....	74, 93, 111, 131, 209
64	Introduced by Taber: A bill for an act entitled: "An act to amend Sections 30, 34, and 36 of Chapter 84, Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, relating to the regulating, licensing and sale of liquor at retail in the State of Montana, by providing for submission of question to qualified electors of any county whether provisions of Chapter 84, Session Laws of Montana, 1937, shall remain operative in said county." .....	74, 200, 421
65	Introduced by Aronow, McKenna, Laas and Williams: A bill for an act entitled: "An act accepting the amendment enacted by Congress to Section Eleven of the act approved February 22, 1889, (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana and Washington, approved by the President of the United States, April 13, 1948." .....	74, 124, 137, 163, 165, 172, 241, 285, 286, 314, 332
66	Introduced by Aronow, McKenna, Laas and Wil-	

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	liams: A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases, and agreements for the pooling of acreage with others for unit operations for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, relating to amendment of existing state oil and gas leases." .....	74, 368
Sub. 66	A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases and extension thereof, and agreements for the pooling of acreage with others for unit operation for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, relating to amendment of existing state oil and gas leases." .....	420, 446, 454, 605, 628, 635, 663
67	Introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.78 of the Revised Codes of Montana, 1935, relating to examination fees payable by counties of the State of Montana to the State General Fund." .....	77, 84, 97, 110, 111, 118, 217

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68	Introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.79 of the Revised Codes of Montana, 1935, relating to examination fees payable by cities and towns of the State of Montana to the State General Fund." .....	77, 84, 97, 110, 111, 119, 217
69	Introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.80 of the Revised Codes of Montana, 1935, relating to examination fees payable by county free high schools of the State of Montana to the State General Fund." .....	78, 84, 97, 110, 119, 126, 217
70	Introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.82 of the Revised Codes of Montana, 1935, relating to examination fees payable by banks, investment and trust companies." .....	78, 84, 97, 110, 111, 117, 217
71	Introduced by Anderson (Phillips), Barnard, Clark (Musselshell), Van Dyke, Williams, Loughran, Gunderson, Hawks and Bricker: A bill for an act entitled: "An act relating to anti-freeze; to provide that no anti-freeze shall be sold, exposed for sale, or held with intent to sell within this state until inspected by the Public Service Commission of Montana, and found to comply with the provisions of this act; to provide inspection fees and distribution of the same; to provide that the commission shall be authorized to make rules and regulations; to prohibit certain matters in advertising; to define terms; to provide how the act be cited; and to provide penalties." .....	81, 109, 128, 131, 192, 220, 227, 233, 446
72	Introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act relating to the public health, providing for the reorganization of the 'State Board of Health of Montana' by creating 'the State Board of Health of the State of Montana,' providing for the appointment of members thereof, their qualifications and term of office, providing that said board shall elect its officers, and shall appoint an executive officer, defining certain of the powers and duties of said reorganized board and the officers of said board, providing for the administration of the public health laws of Montana by said board, and for the transfer to, and possession and exercise by, said reorganized board of all powers and all duties currently provided and prescribed by law for the existing 'State Board of Health of Montana,' and for the continuous and uninterrupted administration thereof by said reorganized board, and to amend Sections 2444 and 2445, Revised Codes of	

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	Montana, 1935, as amended by Chapter 225 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, 1943, and to amend Section 2446 of the Revised Codes of Montana, 1935, and to repeal Section 2447, Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict herewith." .....	81, 129, 165, 173, 184, 198, 493, 529, 530, 542, 583
73	Introduced by Peterson, Holding and Karlberg: A bill for an act entitled: "An act relating to the issuance of motor vehicle license plates and setting the date on which such license plates must be put on sale." .....	82, 113
74	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for the cancellation of certain delinquent taxes on personal property not a lien on real estate, the cancellation of certain obligations held by counties, prescribing procedure relating thereto, duties of the county treasurers and boards of county-commissioners in connection therewith." .....	82, 89, 111, 136, 145, 154, 439, 452, 481, 529, 530, 542, 570
75	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 5738, Revised Codes of Montana, 1935, relating to grounds for divorce and defining extreme cruelty and providing that the cause of action may be stated in the language of the statute." .....	82, 89, 111, 136, 144, 145, 149, 155, 255, 322, 332
76	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Chapter 118 of the Laws of Montana of 1947, designating the salary of the Adjutant General of the State of Montana, and the Assistant Adjutant General of the State of Montana." .....	82, 93, 94, 111, 136, 137, 143, 255, 322, 332
77	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1373, Revised Codes of Montana of 1935, providing for payment of claims against National Guard appropriation and of allowed pay and expenses of the organized militia when called into the service of the State." .....	82, 94, 111, 136, 137, 143, 293, 332, 343, 345
78	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to create the Montana State Disaster Council; defining its powers and	



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	duties; and providing for duties of certain state governmental agencies in case of disaster." .....	82, 94, 127, 136, 145, 153, 293, 326, 327, 357, 367, 379
79	Introduced by Oliver: A bill for an act entitled: "An act to amend Section III, Part I of Chapter 82 of the Laws of 1937, relating to the salary of the State Administrator of the State Department of Public Welfare." .....	82, 98, 192
80	Introduced by Tripp, Wilson (Judith Basin), Mulroney, Peters, Taber, Goodgame: A bill for an act entitled: "An act prohibiting any person who is owner, proprietor, manager, operator, or employee of any place where beer, wine, or intoxicating liquor is sold at retail and may be consumed on the premises from allowing or permitting any person under eighteen years of age from entering or remaining in such place; providing a penalty for violation; providing a penalty for falsely representing age; and providing penalty for parent, parents or guardian whose minor child under sixteen years of age enters or remains in such premises." .....	82, 129
81	Introduced by Harlow, Robertson, Jarussi and Harpster: A bill for an act entitled: "An act to appropriate the sum of \$75,000.00 as a revolving fund for use of the State Department of Vocational Education, to be expended by it during the period when federal funds are not available; providing for reimbursement of such revolving fund from federal funds when and as available; repealing all acts and parts of acts in conflict." .....	82, 409, 423, 462, 465
82	Introduced by Domke: A bill for an act entitled: "An act providing for assessing and taxing gross earnings of freight line companies doing business in Montana; defining terms; prescribing duties and liabilities of freight line companies and railroad companies, and penalties; prescribing powers and duties of the State Board of Equalization; providing for hearing, adjustment of tax. refund, and other matters pertaining to this act." .....	85, 134, 135, 174, 189, 207, 219, 573, 578, 580, 600, 601, 614, 622
83	Introduced by Domke: A bill for an act entitled: "An act to amend Section 2000.1, Revised Codes of Montana, 1935, defining moneys and credits for taxation purposes." .....	85, 109, 133, 144, 145, 153, 263
84	Introduced by Domke: A bill for an act entitled: "An act to provide for the assessment and taxation of airline flight property; prescribing the powers and duties of the State Board of Equalization in	

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	connection therewith; defining certain terms; and imposing penalties for violation of the act." .....	85, 210
85	Introduced by Emmons and Smith: A bill for an act entitled: "An act to amend Subsection (a), Section 7, Chapter 137, Session Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164 of the Session Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941; relating to the "unemployment compensation law," to provide for exemption from payment of contributions by employers employing individuals not eligible to receive benefits." .....	85
86	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1346, Revised Codes of Montana of 1935, providing for an Adjutant General of the State of Montana, and an Assistant Adjutant General of the State of Montana, and prescribing their duties." .....	90, 94, 111, 136, 137, 144, 255, 322, 332
87	Introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 4, Chapter 206 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, 1943, relating to a predatory animal control program for sheep protection and fixing a license fee to support such program and providing that the annual license fee levied by the Board of County Commissioners upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county shall remain in force from year to year unless repealed by the board upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county." .....	90, 109, 128, 144, 149, 156, 293, 332, 343, 345
88	Introduced by Blenkner: A bill for an act entitled: "An act to amend Sections 2678 and 2702 of the Revised Codes of Montana of 1935, as amended by Chapter 137, Laws of Montana, 1941, relating to electrical construction." .....	90, 150, 351, 391, 399, 408, 412, 493, 529, 530, 542, 570
89	Introduced by Haytin and Laas: A bill for an act entitled: "An act to appropriate money from the State Aviation Fund and of federal funds received for the use of the State Aeronautics Commission, for the operation and maintenance of the State Aeronautics Commission for the period beginning July 1, 1949, and ending June 30, 1951." .....	90, 436, 464, 465, 467, 473, 598, 619, 628, 638

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90	Introduced by Haytin, Karlberg and Holding: A bill for an act entitled: "An act placing the responsibility of the building, repairing and maintaining State highways, where they pass through cities and towns, on the State Highway Commission and Department and relieving cities and towns from damages caused by the condition, building, repairing and maintaining the same; repealing all acts and parts of acts in conflict herewith." .....	91, 324, 373, 395, 396, 403, 446
91	Introduced by Domke, Loughran, Cunningham, Hall, Dokken, Pierce and Standish: A bill for an act entitled: "An act relating to the creation and establishment of a State board to be known as the Montana Economic Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for a supplemental appropriation for money out of the State Treasury not otherwise appropriated for the purposes in this act expressed; giving authority to said board to contract." .....	91, 188, 375
92	Introduced by Domke: A bill for an act entitled: "An act to repeal Chapter 3 of the Laws of the Twenty-Ninth Legislative Assembly, 1945, the same being an act entitled, 'An act relating to and specifying inheritance taxes imposed upon the personal property of non-resident decedents, and providing for a reciprocal exemption' and repealing all acts and parts of acts in conflict herewith." .....	91, 109
93	Introduced by Domke: A bill for an act entitled: "An act to amend Section 10400.1 (3) of the Revised Codes of Montana, 1935, relating to transfers in contemplation of death." .....	91, 108, 168
94	Introduced by Tripp and Burns: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana amendments to Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 19, 21, 24, 27, 28, 32, 40, 41, 45, of Article V of the Constitution of Montana, relating to the Legislative authority of the State of Montana, and providing that beginning with the regular session of the legislature in 1953 the legislative authority of the State of Montana shall be vested in a unicameral Legislative Assembly of not less than forty nor more than sixty members, and providing for the election of the members of this Legislative Assembly, their term of office, and salaries; and providing further that all provisions in the Constitution and laws of the state relating to the legislature, Senate, and House of Representatives, and the Joint Session thereof, to mean, in so far as applicable, said legislature of one House; and pro-	

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	viding for the repeal of Sections 3, 4, 5, 6 of Article VI of the Constitution of the State of Montana and providing for the repeal of all acts or parts of acts and constitutional provisions in conflict herewith." .....	95, 129
95	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend subsection (d) of Section III of Part V of Chapter 82 of the Laws of 1937 relating to eligibility for aid to needy blind and repealing all acts and parts of acts in conflict herewith." .....	98, 139, 165, 173, 189, 199, 204, 493, 557, 558, 568, 583
96	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section IX of Part III of Chapter 82 of the Laws of 1937 relating to the receipts of excess payments of old age assistance, the recovery of same, distribution of proceeds and repealing all acts in conflict herewith." .....	98, 140, 165, 173, 189, 199, 204, 493, 529, 530, 542, 570
97	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section XII of Part II of Chapter 82 of the Laws of 1937, to amend Section III of Part III of Chapter 82 of the Laws of 1937, to amend Section IV of Part V of Chapter 82 of the Laws of 1937 as amended by Section 8 of Chapter 117 of the Laws of 1941 as amended by Section 8 of Chapter 213 of the Laws of 1943, relating to the determination of the right to and amounts of assistance in certain cases and repealing all acts in conflict herewith." .....	98, 140, 164, 173, 189, 199, 205, 493, 529, 530, 542, 570
98	Introduced by Committee on Social Security: A bill for an act entitled: "An act providing for method of payment for board and room of dependent and neglected children placed in approved family foster homes by the Department of Public Welfare and for reimbursement by counties to the state department for one-half of such payments and the distribution of any recoveries and repealing all acts and parts of acts in conflict herewith." .....	99, 140, 165, 173, 189, 199, 205, 493, 529, 530, 542, 570
99	Introduced by Committee on Social Security: A bill for an act entitled: "An act to authorize in certain instances the Boards of County Commissioners to levy an additional tax of not to exceed four (4) mills for the county poor funds." .....	99, 140, 165, 173, 189, 199, 205, 493, 529, 530, 542, 570
100	Introduced by Committee on Social Security: A bill	

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	for an act entitled: "An act to amend Section III of Part IV of Chapter 82 of the Laws of 1937 as amended by Section 1 of Chapter 148 of the Laws of 1947, relating to the eligibility of dependent children to receive assistance." .....	99, 140, 165, 173, 189, 199, 206, 493, 529, 530, 542, 570
101	Introduced by Burns, O'Neil, Tripp, Mernin, Dwyer, Goodgame, Culbertson, Aronow, Armstrong, Clark (Musselshell): A bill for an act entitled: "An act to amend Sections 1529 and 1533, Revised Codes of Montana, 1935, and Section 1535, Revised Codes of Montana, 1935, as amended by Section 81, Session Laws, 1945, relating to the Montana Soldiers' Home." .....	99, 112, 184, 190, 207, 219, 398, 543, 552, 555, 579, 583
102	Introduced by Andersen (Richland): A bill for an act entitled: "An act designating all bridges, public or private, crossing streams or rivers in the State of Montana, as roads upon which moneys of the State Highway Fund may be expended by the State Highway Commission; and repealing all acts and parts of acts in conflict herewith." .....	99, 113, 184, 190, 199, 206, 439, 452, 481, 529, 530, 549, 570
103	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3308.1, Revised Codes of Montana, 1935, providing for the filing of chattel mortgages upon livestock in the office of the General Recorder of Marks and Brands, furnish lists of said notices of mortgages to all stock inspectors providing for the prescribing of forms for the Livestock Commission and to provide that no livestock market shall be held liable to any mortgagee who fails to record his mortgage with the Recorder of Marks and Brands for money paid to the mortgagor." .....	99, 109, 133, 144, 150, 154, 294, 343, 345, 359, 392, 393, 397, 422
104	Introduced by Wiedman: A bill for an act entitled: "An act to amend Sections 3 and 4 of Chapter 126 of the Session Laws of Montana for 1939, relating to waterworks and sewerage systems and the issuance of revenue bonds therefor by cities and towns; providing for the issuance of revenue bonds which are junior in standing to other revenue bonds; providing for the acceptance by cities and towns of loans, grants and contributions and providing for contracts by cities and towns with in-	



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	dustrial establishments and with other cities and towns." .....	99, 147, 174, 189, 207, 219, 450, 491, 492, 529, 531, 549, 570
105	Introduced by Scofield, Esp, Emmons and Howard: A bill for an act entitled: "An act to amend Chapter 150 of the Laws of 1945, as amended by Chapter 91 of the Laws of 1947, relating to the salaries of county officers and providing a method and procedure for fixing and determining such salaries and requiring County Commissioners to fix such salaries in accordance with such method and procedure, by providing that the salary schedule set out in Section One (1) thereof shall be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated in said section; by providing that all salaries fixed by all other sections of said chapter be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated therein; by providing that populations of the various counties shall be computed on the basis of the annual estimation of population of the Federal Census Bureau for the purpose of computing that portion of officers' salaries to be taken from salary column A of Section 1 of said chapter; providing that this act shall be in full force and effect from and after its passage and approval, but shall not effect an increase of the salary of any public officer who is in office at the date this act goes into effect; and repealing all acts and parts of acts in conflict herewith." .....	99, 177, 178, 220, 223, 246, 247, 313, 318, 605, 606, 617, 657, 666, 672
106	Introduced by Dusak, Gunderson, Holtz, Harken, Tripp, Mernin, Burns, Peterson, Trout, Holding, Emmons, Smith and Ganson: A bill for an act entitled: "An act to amend Section 3, Subsection (d) of Section 4, and Subsection (c) of Section 7 (b) (1) of Chapter 137, Session Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164, Session Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, and as amended by Chapter 233, Session Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, 1943, and as amended by Chapter 190, Session Laws of the Twenty-Ninth Legislative Assembly of the State of Montana, 1945, and as amended by Chapter 245, Session Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, providing for payment of benefits and allowing additional benefits for dependents; providing for benefit eligibility condi-	

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	<p>tions; and providing for and governing contributions made by employers and eliminating chargebacks as a factor in making classifications for experience rating; all of the above being amendments to the Unemployment Compensation Law of the State of Montana." .....</p>	<p>100, 283, 284, 345, 367, 373, 395, 408, 409, 410, 417, 418, 435, 444, 584, 597, 599, 600, 631, 640, 657, 666, 672</p>
107	<p>Introduced by Holding, Mulroney, McElwain, Armstrong, Loble, Bricker, Emmons, Trout, Goodgame and Hoiness: A bill for an act entitled: "An act to amend Section 2917, Revised Codes of Montana, 1935, as amended by Chapter 229 of the Session Laws of 1943, and by Chapter 213 of the Session Laws of 1945, relating to medical, hospital and other services furnished to injured workmen under the Workmen's Compensation Act, by increasing the amount of such services to not exceed the sum of one thousand dollars (\$1,000.00)." .....</p>	<p>100, 157, 206, 220, 227, 233, 448, 482, 492, 538</p>
108	<p>Introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to provide for the conservation and protection from fire of forests and forest lands and to amend Section 11500, Revised Codes of Montana, 1935, and providing penalties for the careless or negligent setting of fire to any timber, woodland or grass without taking sufficient and adequate steps to secure said fire from spreading and for the failure to extinguish any such fire before leaving said fire." .....</p>	<p>100, 283, 340, 373, 395, 396, 403, 446</p>
109	<p>Introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to amend Section 1830.3, Revised Codes of Montana, 1935, and to increase the salary of the State Forester of the State of Montana." .....</p>	<p>100, 415, 462, 465, 477, 478, 605, 607, 618, 638, 651</p>
110	<p>Introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act appropriating moneys for the purpose of complying with the provisions of Section 2, Chapter 141, Session Laws of 1937; Section 6, Chapter 128, Session Laws of 1939; and Section 1, Chapter 193, Session Laws of 1947 authorizing and empowering the granting of advice and assistance to farmers and others in the establishment and maintenance of forest tracts, woodlots, windbreaks, and shelterbelts within the state." .....</p>	<p>100, 281, 282, 376</p>
111	<p>Introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act providing for</p>	

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	the further conservation and protection of forests and forest lands; providing for the method or methods of slash and debris treatment, protection or disposal and amending Sections 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, as heretofore amended." .....	100, 281
Sub. 111	A bill for an act entitled: "An act providing for the further conservation and protection of forests and forest lands; providing for the method or methods of slash and debris treatment, Sections 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, as heretofore amended." .....	337, 356, 373, 380, 560, 579, 583
112	Introduced by Loble and Bricker: A bill for an act entitled: "An act to establish a wood molasses pilot plant and research program at Montana State College, at Bozeman, Montana, for the purpose of carrying on scientific and applied research in the production of wood molasses and other by-products of the wood hydrolysis process, providing for a director of said pilot plant, authorizing the said director to obtain such equipment, facilities and staff as may be necessary and proper to carrying on such work, and providing that said director may make appropriate rules and regulations, and to make appropriations therefor." .....	101, 209, 229
113	Introduced by McCarthy: A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games, and slot machines; providing a license fee for the operation of such games and slot machines and fixing the amount and disposal of such fees; defining the powers and duties of the State Board of Equalization of the State of Montana and the treasurer and sheriff of the counties of the State of Montana in the administration and enforcement of this act and in the suspension or revocation of such licenses; providing for hearing before suspension or revocation; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or slot machines or frequenting premises where the same are conducted or operated; authorizing counties and cities to levy and collect a license tax in addition to the state license tax herein provided for; providing penalties for the violation of the provisions of this act; providing for local option by counties in relation to the adoption of this act; repealing Section 11159, Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of 1937, repealing all acts and parts of acts in conflict herewith." .....	101, 150, 326, 329
114	Introduced by Smith: A bill for an act entitled: "An act allowing all licensees, licensed under the "State Liquor Control Act of Montana" as amended, to sell liquor at retail, to purchase liquor	

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	as defined in said act at 10% below the cost charged the holders of individual permits." .....	101, 351, 661
115	Introduced by Committee on Public Health and Sanitary Affairs: A bill for an act entitled: "An act to create the Montana State Board of Practical Nurses and defining its powers and duties; providing for the examination, licensing and regulation of practical nurses; providing for the accreditation and survey of courses for training practical nurses; defining certain violations and providing for the prosecution and penalties thereof." .....	101
Sub. 115	A bill for an act entitled: "An act providing for the examination, licensing and regulation of nursing attendants, providing for the accreditation and survey of courses for training nursing attendants; defining certain violations and providing for the prosecution and penalties thereof." .....	426, 468, 552, 663
116	Introduced by Taylor: A bill for an act entitled: "An act to amend Section 8896, Revised Codes of Montana, 1935, relating to jury lists, by whom and when to be made." .....	105, 168
117	Introduced by Taylor: A bill for an act entitled: "An act to amend Section 6906, Revised Codes of Montana, 1935, relating to acknowledgments; where and by whom same may be taken." .....	105, 168
118	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3761 of the Revised Codes of Montana, 1935, as amended by Section 28 of Chapter 224, Laws of the Thirtieth Legislative Assembly, 1947, relating to the creation of game preserves, boundaries, provisions thereof, eliminating the provisions creating the Snow creek game preserve; and penalties for violation of the provisions of this act; and to repeal Sections 3762, 3766, 3776.15 of the Revised Codes of Montana, 1935, also relating to game preserves." .....	105, 134, 149, 164, 173, 175, 182, 293, 332, 343, 379
119	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game, by adding a sub-section to be known as Section 3694.3, relating to the authority of the fish and game commission to prohibit the use of small fish, dead or alive, in any stream or lake in the State of Montana; and making it unlawful for any person or persons to transplant or introduce any species of fish, game birds or game animals without authorization from the Fish and Game Commission; and providing penalties for violation of	

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	<p>this act; and repealing all acts and parts of acts in conflict herewith." .....</p>	105, 283
120	<p>Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, as amended by Chapter 174 of the Laws of the Twenty-Sixth Legislative Assembly, 1939, and as amended by Chapter 215 of the Thirtieth Legislative Assembly, 1947, relating to the classes of licenses for hunting and taking game and fish and furbearing animals within the State of Montana; the fees and powers under such licenses; providing rules for determining residence for the purpose of issuing resident hunting and fishing licenses; providing the penalty for violation of the act, and repealing all acts and parts of acts in conflict herewith." .....</p>	105, 134, 164, 173, 184, 198, 293, 332, 333, 343, 379
121	<p>Introduced by Hunter: A bill for an act entitled: "An act to amend Section 2815.69, Revised Codes of Montana, 1935, as amended by Section 4, Chapter 30, Montana Session Laws of 1937 as amended by Chapter 237, Montana Session Laws of 1947, relating to classification of state liquor stores." .....</p>	115, 420, 462, 465, 477, 587, 600, 601, 614, 651
122	<p>Introduced by Barnard, Cotton, Frerich, Harlow, Anderson (Phillips) and Aronow: A bill for an act entitled: "An act providing for a producers' license tax on all persons engaging in the business of producing within the State of Montana natural gas for sale, barter or exchange; defining words and terms; requirement for keeping records and making report; fixing method for computation of the tax; prescribing method of assessment, payment and collection of the tax; for payment of proceeds into General Fund; providing penalties for violation of this act; and matters relating thereto." .....</p>	115, 383, 384, 420, 441, 446, 453
123	<p>Introduced by Committee on Social Security: A bill for an act entitled: "An act to define, regulate and license agencies for the adoption of minor children and providing penalties for the violation thereof." .....</p>	115, 139, 239
Sub. 123	<p>A bill for an act entitled: "An act to define, regulate and license agencies for the adoption of minor children, setting up minimum requirements for such agencies, providing for certified copies and cancellation of licenses, providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." .....</p>	313, 327, 337, 349, 605, 607, 608, 625, 626, 636, 657, 666, 672.



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124	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5862 of the Revised Codes of Montana as amended by Chapter 181 of the Laws of 1945 relating to the examination or hearing of persons seeking to adopt children, and repealing all acts and parts of acts in conflict herewith." .....	115, 139, 239
Sub. 124	A bill for an act entitled: "An act to amend Section 5862 of the Revised Codes of Montana of 1935, as amended by Chapter 181 of the Laws of 1945, relating to the examination of persons seeking to adopt children, and requiring report and prescribing secrecy in connection with hearing for adoption, and repealing all acts and parts of acts in conflict herewith." .....	313, 327, 337, 349
125	Introduced by Committee on Social Security: A bill for an act entitled: "An act prohibiting the removal of a child born in the State of Montana to any other state or county for purposes of adoption by persons other than the natural parent or parents without the consent of a licensed adoption agency or the State Department of Public Welfare, and providing penalty for violation of said act." .....	115, 139, 240
126	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5866 of the Revised Codes of Montana of 1935 relating to the consent to the adoption of an abandoned minor child, and repealing all acts and parts of acts in conflict herewith." .....	115, 139, 240
Sub. 126	A bill for an act entitled: "An act to amend Section 5866 of the Revised Codes of Montana of 1935 relating to report and consent necessary on the adoption of a deserted or abandoned minor child, and repealing all acts and parts of acts in conflict herewith." .....	313, 327, 337, 349, 605, 619, 628, 672
127	Introduced by Committee on Social Security: A bill for an act entitled: "An act requiring that before an order of adoption may be made in any case by the district court, except in the case of a step-parent it must appear that the child to be adopted has resided in the proposed adoptive home for a period of at least a year unless for good cause it is decided otherwise. All acts and parts of acts in conflict herewith are hereby repealed." .....	115, 139, 240, 313, 327, 337, 346, 597
128	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935 as amended by Chapter 115 of the Laws of 1941 as amended by Chapter 51 of the Laws of 1947, and to repeal Sections 5867, 1507, 1508, 1509 and 1510	

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	relating to the consent to adopt minor children of divorced parents, and children who are residing in the state orphans' home or any other public institution of the State of Montana, or any other asylum or institution of the state, and repealing all acts and parts of acts in conflict herewith."	115, 139, 240
Sub. 128	A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935 as last amended by Chapter 51 of the Laws of 1947, relating to consent necessary to adopt minor children, and repealing Sections 5867, 1507, 1508, 1509 and 1510, and all acts and parts of acts in conflict herewith."	313, 327, 337, 350, 605, 607, 608, 625, 626, 637, 664, 665, 672, 674
129	Introduced by Emmons and Smith: A bill for an act entitled: "An act to amend Section 12264, Revised Codes of Montana, 1935, relating to parole of prisoners in state prison; providing that no convict serving a sentence for the crime of rape committed upon a female under the age of eighteen (18) years be paroled."	116, 209
130	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the State Purchasing Department."	116, 128, 206, 220, 227, 235, 439, 453, 462, 491
131	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the county attorneys."	116, 128, 137, 164, 165, 172, 293, 332, 333, 343, 345
132	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the University of Montana, Missoula, Montana."	116, 128, 137, 158, 159, 162, 439, 452, 481, 529, 531, 542, 570
133	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Montana highway patrol."	116, 128, 137, 158, 159, 162, 293, 332, 333, 343, 345
134	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money	

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	for the payment of certain deficiency claims arising for obligations incurred by the capitol custodian." .....	116, 128, 158, 159, 163, 439, 453, 462, 491
135	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by transportation of of prisoners." .....	116, 128, 137, 158, 159, 163, 293, 332, 333, 343, 345
136	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Veterans' Welfare Commission." .....	116, 128, 145, 164, 165, 172, 293, 136, 332, 333, 343, 345, 629
137	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the 1947 Legislative Assembly of the State of Montana." .....	116, 128, 145, 164, 165, 173, 293, 332, 333, 340, 345
138	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act relating to licensing of slot machines; defining terms; specifying amount of license fees and for distribution thereof to state, county and incorporated cities and towns; providing for administration and enforcement of the act by the State Board of Equalization and law enforcement officers; prohibiting persons under twenty-one years of age from playing slot machines; providing penalties for violations of this act, suspension and revocation of license; and other provisions relating to this act; and repealing all acts or parts of acts in conflict herewith." .....	116, 216, 237, 269, 286, 294, 295, 329, 330, 345, 360, 572
139	Introduced by O'Neil, Ganson, Trout, Burns, Koch and Aronow: A bill for an act entitled: "An act creating authority to subsidize the education of dependent crippled children; defining the age limits of dependent crippled children for the purposes of this act; providing for home tutorial service; providing for the transportation of dependent crippled children to and from educational institutions; providing for a tax levy for the support and maintenance thereof, and repealing all acts and parts of acts in conflict herewith." .....	116, 176, 209, 226, 227, 232, 598, 600, 616, 638, 651

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140	Introduced by Dwyer, Tierney, Ballard, Foley, McCarthy, Mernin, Clark (Silver Bow), Loughran, Jarussi and Cunningham: A bill for an act entitled: "An act providing that disabled veterans of the State of Montana may hunt and fish, all as authorized by law and without obtaining a license, providing such a resident shall have first secured a permit to so hunt and fish, the form of which shall be prescribed by the Montana Fish and Game Commission, and which shall be issued by the proper authorities upon the proper showing being made by the disabled veteran of his or her disability, and defining the terms of this act used herein and repealing all acts and parts of acts in conflict herewith." .....	117, 160, 189
141	Introduced by Hess, Holtz, Esp and Scofield: A bill for an act entitled: "An act designating the salaries of the Governor, Justices of the Supreme Court, Attorney General, Secretary of State, Superintendent of Public Instruction, State Treasurer, State Auditor, Clerk of the Supreme Court, and members of the Board of Railroad Commissioners; providing that such salaries shall not include actual and necessary traveling, lodging and subsistence incidental to official duties of the aforesaid officers; repealing Sections 128, 200, 436, and 8796, Revised Codes of Montana, 1935, Section 375, Revised Codes of Montana, 1935, as amended by Chapter 64, Laws of 1945, Section 949, Revised Codes of Montana, 1935, as amended by Chapter 177, Laws of 1947, that portion of Section 378, Revised Codes of Montana, 1935, establishing compensation of Supreme Court Justices for reporting decisions of the Supreme Court, that portion of Section 162, Revised Codes of Montana, 1935, relating to the salary of the State Auditor in his ex-officio capacity as Commissioner of Insurance, that portion of Section 3784, Revised Codes of Montana, 1935, establishing the salary of each Railroad Commissioner, and all other acts and parts of acts in conflict with this act, or any provision hereof; and providing when this act shall take effect." .....	131
Sub. 141	A bill for an act entitled: "An act designating the salaries of the Governor, Justices of the Supreme Court, Attorney General, Secretary of State, Superintendent of Public Instruction, State Treasurer, State Auditor and the Clerk of the Supreme Court; and providing that such salaries shall not include any traveling, lodging or subsistence incidental to official duties of said officers; and repealing Sections 128, 200, 436 and 8796 of the Revised Codes of Montana, 1935, Section 375 of the Revised Codes of Montana, 1935, as amended by Chapter 64 of the Session Laws of the Twenty-Ninth Legislative Assembly of the State of Montana, 1945; Section 949 of the Revised Codes of Montana, 1935, as amended by Chapter	

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	177 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947; and amending Section 378 of the Revised Codes of Montana, 1935, relating to the duty of and compensation for reporting decisions by the Justices of the Supreme Court by removing from said section the provisions for such compensation; and amending Section 162 of the Revised Codes of Montana, 1935, relating to the duties of and Compensation for the State Auditor in his ex-officio capacity as Commissioner of Insurance by removing therefrom the provisions providing for such compensation; repealing all acts and parts of acts in conflict herewith; and providing that this act shall be in full force and effect on and after its passage and approval." .....	322, 345, 357, 373, 380, 605, 606, 608, 631, 632, 657, 658, 666, 672
142	Introduced by Wiedman: A bill for an act entitled: "An act to amend Section 3689, Revised Codes of Montana, 1935, as amended by Section 4 of Chapter 224 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to possession of fish and game licenses." .....	132, 178, 209, 226, 237, 258, 294, 343
143	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1949 and 1950." .....	132, 147, 165, 173, 175, 182, 293, 332, 333, 343, 345
144	Introduced by Wiedman: A bill for an act entitled: "An act to amend Section 11369 of the Revised Codes of Montana of 1935, relating to uttering fraudulent checks or drafts—evidence." .....	132, 139
145	Introduced by Harlow, Holding, Andersen (Richland) and Harpster: A bill for an act entitled: "An act amending Section 2296 and Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and defining what organizations are exempt therefrom, and relating to deductions in computing income." .....	132, 437, 450
146	Introduced by Holtz, Dusak, Wilson (Judith Basin) and Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing	



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	and sale of liquor at retail in the State of Montana." .....	132, 210, 234, 248
147	Introduced by Loble and Hawks: A bill for an act entitled: "An act to appropriate money for the biennium ending June 30, 1951, to supplement an appropriation authorized by the Congress of the United States to complete the construction of and equipping of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, for tuberculous Indians; authorizing the State Board of Examiners to carry out the purposes of this act and to represent the State of Montana in carrying out the provisions of Public Law 332 of the 80th Congress." .....	132, 192, 220, 226, 237, 259, 294, 666, 672, 673, 674
148	Introduced by Harlow, Holding, Andersen (Richland) and Harpster: A bill for an act entitled: "An act to amend Sections 2295.2 and 2295.8, Revised Codes of Montana, 1935, and Section 2295.10, Revised Codes of Montana, 1935, as amended by Chapter 29, Session Laws, 1941, all relating to income tax; providing for the rate, deductions and exemptions." .....	132, 437, 451
149	Introduced by Nixon and Laas: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana: Defining the term 'caravaning'; providing for the granting of certificates for motor vehicles in caravans and fixing the fee thereof; defining the duties of the Board of Railroad Commissioners of the State of Montana in regard thereto; providing for the filing of verified statements with the Board of Railroad Commissioners by every holder of a certificate or certificates issued under the provisions of this act: Providing for the disposition and disbursement of the fees collected under this act and penalties for violation of this act." .....	132, 325
150	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 350.1, 351, 354.1, 360, 361, Revised Codes of Montana, 1935, relating to State Hail Insurance; Maximum insurance allowed; limitation of tax levies and application thereof; foreclosure of liens; appointment of appraisers; payment of losses; and other matters pertaining to hail insurance." .....	133, 168, 206, 220, 227, 235, 294, 325, 357, 367, 379
151	Introduced by Clark (Silver Bow) and Cunningham: A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, as amended by Chapter 198, Laws of the Twenty-Eighth Legislative Assembly, 1943, relating to the operation of motor vehicles while in an intoxicated condition or under the influence of intoxi-	

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	<p>cating liquor, drugs or narcotics, prescribing the penalties for violation of the provisions of this act and for revocation of driver's license, and repealing all acts and parts of acts in conflict herewith." .....</p>	133, 341
152	<p>Introduced by Dusak, Burns, Smith, Karlberg, Mernin, Tripp, Culbertson, Jarussi and Michels: A bill for an act entitled: "An act to amend Section 2343.1, Revised Codes of Montana, 1935, as amended by Chapter 83, Session Laws, 1937, relating to electrical energy producers' license tax; providing that such tax be increased." .....</p>	135, 419
153	<p>Introduced by Holding: A bill for an act entitled: "An act to amend Section 443, Revised Codes of Montana, 1935, as amended by Chapter 119, Session Laws of the Twenty-Eighth Legislative Assembly, 1943, relating to traveling expenses of certain county officers attending conventions by including the office of sheriff and repealing all acts and parts of acts in conflict herewith." .....</p>	135, 147, 222, 248, 261, 288, 493, 529, 531, 542, 583
154	<p>Introduced by McElwain, Dwyer, Koch and Emmons: A bill for an act entitled: "An act permitting actions on tort claims against the State of Montana and describing the practice and procedure therefor." .....</p>	135, 192, 220, 226, 237, 257, 294, 493, 529, 531, 542, 585, 586
155	<p>Introduced by Committee on Dairying: A bill for an act entitled: "An act regulating the commerce within the State of Montana of oleomargarine, prohibiting the manufacture, sale, possession with intent to sell, transportation or serving in a public eating place of oleomargarine which is colored yellow, defining the terms used herein, establishing standards of sanitation for manufacturing and handling oleomargarine, licensing the manufacture and wholesale traffic in oleomargarine, providing for district court jurisdiction of offenses and actions under this act, and restraint of violations, condemnation of yellow or unfit oleomargarine, sampling and testing as to purity and color, use of samples as evidence, standard measure, certain fat content, standards of wrapping and marking packages, reports by manufacturers, providing penalties for the violation of this act, and causes for and methods of revocation of licenses, empowering the Commissioner of Agriculture, Labor and Industry to promulgate rules and regulations in conformity to this law, and providing for the exemption of certain products, severability of the provisions of this act, repeal of all acts and parts of acts in conflict herewith, and</p>	

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	providing the effective date shall be upon passage and approval." .....	135, 147, 189, 220, 223, 369, 390, 396, 406, 587, 600, 601, 614, 621
156	Introduced by Westlake, Duncan, Holding, Karlberg, Mulroney, Koch: A bill for an act entitled: "An act to amend Section 4885 of the Revised Codes of Montana, 1935, as amended by Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of 1941, and Section 4916 of the Revised Codes of Montana, 1935, as amended by Chapter 139 of the Laws of the Twenty-Fifth Legislative Assembly of 1937 and by Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of 1941, relating to mileage, expenses, and fees of sheriffs." .....	136, 200, 241, 269, 313 317, 525, 541, 544, 557, 558, 568, 583
157	Introduced by Barnard, Harlow, Oliver, Goodgame and Cotton: A bill for an act entitled: "An act to amend Sections 74 and 75, Revised Codes of Montana, 1935, relating to legislative assembly; providing for an increase in the per diem of members, President of Senate and Speaker of House." .....	140, 160, 222, 248, 261, 287, 332
158	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3681 of the Revised Codes of Montana, 1935, relating to definitions of commission, person, open season, closed season, angling or fishing, upland game birds, migratory game birds, non-game birds, game animals, fur-bearing animals, predatory animals, and game fish." .....	141, 178, 209, 226, 237, 259, 294, 438, 453, 462, 491
159	Introduced by Tripp, Brenner, Krieg, Peters, Gebhardt, Pierce and Hoiness: A bill for an act entitled: "An act to change the name of Montana State Normal College to Western Montana College of Education, and the name of Eastern Montana State Normal School to Eastern Montana College of Education." .....	141, 192, 220, 226, 227, 235, 294, 343, 357, 367, 379
160	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to provide for a revolving fund for the Veterans' Welfare Commission. The method of creating and using the fund and repealing all acts and parts of acts in conflict herewith." .....	141, 159, 222, 242, 391, 408, 409
161	Introduced by Committee on Education: A bill for an	

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	<p>act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; defining 'uniform system of free public schools'; providing a schedule for determining support of foundation financial program for public elementary schools; providing a schedule for determining the amount which will be guaranteed by the state for public secondary schools in support of the foundation financial program; providing for a reserve tax levy for building and construction purposes; providing for a change of name for the state common school equalization fund; providing for the State Board of Education to administer the state public school equalization fund; providing for the State Superintendent of Public Instruction to compile data and make reports concerning state public school equalization fund; providing for the distribution of funds and reports required for same; providing for the distribution of money available to districts and the formula for the apportionment of county funds; providing formula for distribution of state funds; providing for payment by state for transportation service rendered; providing for State Superintendent to give notice if state fund is inadequate; providing for resolution to issue warrants in anticipation of state aid and providing for hearing of same; providing for authorization to issue warrants; providing for reimbursements from state public school equalization fund; providing for trustees to authorize additional ten-mill levy without election; providing for district school taxes in excess of ten-mill levies and providing for elections to cover same; providing for county public school levy; providing for federal tax valuation index; providing for transfer of building and furnishing funds to reserve fund for building and construction purposes; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Section 945 of Chapter 91 of the Revised Codes of Montana of 1935; Section 964 as amended by Section 1 of Chapter 134, Laws of 1945; Section 1057 of Chapter 98, Laws of 1941; Section 1201.1 as last amended by Section 1 of Chapter 129, Laws of 1945; Sections 1202 and 1203 as amended by Section 1 of Chapter 51, Laws of 1945; Section 1263.5 as last amended by Section 2 of Chapter 219, Laws of 1943; Section 1263.30 and amending all acts and parts of acts in conflict with this act; and repealing all acts and parts of acts in conflict with this act." .....</p>	141, 376
Sub. 161	A bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; defining 'uniform system of free public schools'; 'average number belonging'; and 'minimum foundation program'; providing a schedule for determining sup-	

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	<p>port of foundation financial program for public elementary schools; providing a schedule for determining the amount which will be guaranteed by the state for public secondary schools in support of the foundation financial program; providing for a reserve tax levy for building and construction purposes; providing for abolishment of State Public School General Fund; providing for a change of name for the State Common School Equalization Fund; providing for the State Board of Education to administer the State Public School Equalization Fund; providing for the State Superintendent of Public Instruction to compile data and make reports concerning State Public School Equalization Fund; providing for the distribution of funds and reports required for same; providing for the distribution of money available to districts and the formula for the apportionment of county funds; providing formula for distribution of state funds; providing for payment by state for transportation service rendered; providing for State Superintendent to give notice if state fund is inadequate; providing for resolution to issue warrants in anticipation of state aid and providing for hearing of same; providing for authorization to issue 'warrants'; providing for reimbursements from State Public School Equalization Fund; providing for trustees to authorize additional levy without election; providing for district school excess levies and providing for elections to cover same; providing for county public school levy; providing for cost of program; providing for duties of State and County Superintendent; providing for transfer of building and furnishing funds to reserve funds for building and construction purposes; amending Section 1263.5, Revised Codes of Montana, 1935, as amended by Chapter 166, Laws of 1939, Chapter 64, Laws of 1941, and Chapter 280, Laws of 1947; amending Section 964, Revised Codes of Montana, 1935; amending Section 1057 of the Revised Codes of Montana, 1935; repealing Sections of the Revised Codes of Montana, 1935, as follows: 1019.7; 1039; 1200.1; 1200.2; 1200.3; 1200.5; 1200.6; 1200.8; 1200.9; 1201.2; 1201.3, as amended by Chapter 132, Laws of 1941, Chapter 108, Laws of 1943, Chapter 129, Laws of 1945, and Chapter 281, Laws of 1947; 1201.4; 1202, as amended by Chapter 273, Laws of 1947; 1203, as amended by Chapter 51, Laws of 1945; 1204, as amended by Chapter 272, Laws of 1947; 1207; 1208; 1209; 1210; 1211; 1212; 1219; 1263.8, as amended by Chapter 217, Laws of 1939; 1263.11, as amended by Chapter 131, Laws of 1941; and 1253.30; and repealing all acts and parts of acts in conflict with this act; and providing for the effective date of this act." .....</p>	447, 467, 475, 610
Sub. S.B. for Sub.	Introduced by Committee on Education: A bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform sys-	



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H.B. 161	tem of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools; providing for abolishment of state public school general fund; providing for a change of name for the state common school equalization fund; providing that the State Board of Education shall administer the state public school equalization fund; providing for the raising of school revenues by school district and county taxes and for payments by the state in support of the public schools within prescribed limits; providing for restrictions on school budgets; providing for applications for approval of isolated schools and for action thereon by the county budget board and county superintendent of schools; providing for elections to vote upon extra levies; providing the method of distribution of school funds; providing for notice by state superintendent if state fund is inadequate; providing for resolution to issue and for issuance of warrants when a deficiency exists in state aid; providing the method of payment of such warrants; amending sections of the Revised Codes of Montana of 1935, and of the Session Laws as follows: Section 1019.19, 1202, as amended by Chapter 273, Laws of 1947, 1219 and 1263.5, as last amended by Section 1, Chapter 280, Laws of 1947, and repealing all acts and parts of acts in conflict herewith." .....	611, 621, 626, 627, 652 ..
162	Introduced by Domke: A bill for an act entitled: "An act to amend Sections 6 and 7 of Chapter 289, Montana Session Laws of 1947, to provide for a tax on cigars in addition to the tax on cigarettes." .....	141, 209, 241, 269, 313, 318, 597
163	Introduced by Domke: A bill for an act entitled: "An act to repeal Section 6565 of the Revised Codes of Montana, 1935, as amended by Chapter 5, Montana Session Laws of 1943, relating to licenses of railroad and steamboat ticket agents." .....	141, 178, 209, 226, 227, 253
Sub. 163	Introduced by the Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Sections 6565, 6566 and 6568 of the Revised Codes of Montana, 1935, relating to certificates and licenses of railroad and steamboat ticket agents." .....	329, 345, 358, 362, 573, 578, 579, 583, 652
164	Introduced by Domke: A bill for an act entitled: "An act to amend Section 3 of Chapter 289, Montana Session Laws of 1947, relating to cigarette distributors' and dealers' licenses, to provide for an annual license in lieu of a permanent license." .....	142, 147, 175, 190, 199, 204, 343

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165	Introduced by Domke: A bill for an act entitled: "An act to amend Section 6 of Chapter 289 of the Montana Session Laws of 1947, relating to the tax upon cigarettes and increasing the rate from two to three cents." .....	142, 419, 445, 448, 471, 472, 484, 605, 619, 628
166	Introduced by Committee on Education: A bill for an act entitled: "An act for the purpose of the reorganization of the school districts in the State of Montana in order to simplify and make more efficient the administration of the elementary and secondary schools of the state; providing definitions of terms pursuant this act; providing for the organization and meetings of county redistricting committees; providing for the powers and duties of the county redistricting committee; providing for effective dates for reorganization; defining 'school districts' and minimum requirements for same; providing for powers as body corporate; providing for limitations in creating, consolidating or changing boundaries of school districts; providing for abolishment of school districts; providing for approval of new districts; providing for creation of joint school districts; providing for appointment of trustees of new school districts; providing for dissolution of school districts; providing for disposition of records of districts ceasing to exist; providing for disposition of property and debts of abolished or dissolved districts; disposition when annexed to one district; disposition when annexed to two or more districts; distribution of assets when territory detached but district continues in existence; providing for assumption of indebtedness; providing for distribution of abolishment, dissolution or alteration of joint districts; providing that employment contracts are not 'property'; providing for notification to county treasurer and board of equalization of the apportionment of school district funds and indebtedness; providing for the State Examiner to prescribe accounting methods; providing duties of trustees and clerks to keep accounts; providing for annual audit of school district accounts; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1020 and 1021 as amended by Section 1 of Chapter 61, Laws of 1943; and all other acts or parts of acts in conflict with this act, and repealing all acts and parts of acts in conflict with this act." .....	142, 377, 445, 452, 471, 597
167	Introduced by Foley, Tierney, Dwyer, Loughran, Ballard, Clark (Silver Bow), Mernin and McCarthy: A bill for an act entitled: "An act to amend Section 5119 of the Revised Codes of Montana of 1935, as amended by the provisions of Chapter 43 of the Session Laws of the Twenty-Sixth Legislative Assembly of Montana, 1939, as	

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	amended by Chapter 159 of the Session Laws of the Twenty-Ninth Legislative Assembly of 1945, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class." .....	142, 262, 337
Sub. 167	A bill for an act entitled: "An act to amend Section 5119 of the Revised Codes of Montana of 1935 as amended by the provisions of Chapter 43 of the Session Laws of the Twenty-Sixth Legislative Assembly of Montana, 1939, as amended by Chapter 159 of the Session Laws of the Twenty-Ninth Legislative Assembly of 1945, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class." .....	262, 358, 371, 386, 399, 414, 428, 598, 619, 620, 628, 672
168	Introduced by Harlow: A bill for an act entitled: "An act to amend Section 1049 of the Revised Codes of Montana of 1935 relating to duties of school clerks." .....	142, 216, 234, 257
169	Introduced by Harlow: A bill for an act entitled: "An act to amend Section 1137 of the Revised Codes of Montana of 1935, relating to truant officers powers and duties." .....	142, 216, 241, 269
170	Introduced by Harlow: A bill for an act entitled: "An act to amend Section 1136 of the Revised Codes of Montana of 1935, relating to employment of children under seventeen." .....	143, 216, 234, 237
171	Introduced by Harlow: A bill for an act entitled: "An act to amend Section 1135 of the Revised Codes of Montana of 1935, relating to compulsory attendance." .....	143, 216, 234, 248, 261, 285, 320, 327, 348, 450, 491, 492, 494, 523, 557, 558, 568, 583
172	Introduced by Hoiness and Peters: A bill for an act entitled: "An act to amend Section 681 R. C. M., 1935, as last amended by Section 1, Chapter 141, Session Laws of Montana of 1947, relating to the preparation of election ballots and regulating their form, color, size and use, the placing of names thereon and other matters pertaining thereto." .....	148, 239, 329, 345, 358, 364, 448, 482, 492, 583
173	Introduced by Hoiness and Haytin: A bill for an act entitled: "An act to amend Section 5080 of the Revised Codes of Montana of 1935, as amended by Chapter 122, Montana Session Laws, 1937, relating to the liability of cities and towns for in-	

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	juries or damage of persons or property received or suffered by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry boat, or public works of any kind in cities and towns, setting forth requirements of notice and repealing all acts and parts of acts in conflict herewith." .....	148, 210, 241, 269
174	Introduced by Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 3 of Chapter 84 of the Session Laws of Montana of 1937, as amended by Section 1 of Chapter 226 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of liquor licenses; and the number of said licenses that may be issued; and providing for the issuance of liquor licenses to posts and lodges or similar state units of recognized national veterans and/or fraternal organizations, and providing for the cancellation of liquor licenses not actually used, and repealing all acts and parts of acts in conflict therewith." .....	148, 253, 408, 416, 418, 425, 432, 597, 599, 613, 638, 651
175	Introduced by Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 2815.30 of the Revised Codes of Montana, 1935, as amended by Chapter 225 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of retail beer licenses, the number of said licenses which may be issued, and providing for the issuance of retail beer licenses to posts and lodges or similar state units of recognized national veterans and/or fraternal organizations, and providing for the cancellation of retail beer licenses not actually used, and repealing all acts and parts of acts in conflict therewith." .....	148, 253, 416, 424, 435, 445, 597, 599, 613, 638, 651
176	Introduced by Mernin, Tripp, Emmons, Gunderson, Dusak, Holtz, Burns, Peterson and Smith: A bill for an act entitled: "An act amending Section 2870, Revised Codes of Montana, 1935, defining 'injury' or 'injured,' amending Section 2933, Revised Codes of Montana, 1935, relating to notice of claims for injuries other than death, amending Section 2899, Revised Codes of Montana, 1935, relating to claims must be presented within what time, and amending Section 2816, Revised Codes of Montana, 1935, and adding a new part to Chapter 256, Volume 2 of the political code, Revised Codes of Montana, 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.6 inclusive, relating to compensation for silicosis; defining silicosis; defining 'disability' and 'disablement'; establishing eligibility requirements for silicosis	

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	compensation and repealing all acts and parts of acts in conflict therewith." .....	151, 346, 356
177	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 10096 of the Revised Codes of Montana, 1935, as amended by Section 2, Chapter 150, of the Laws of the Twenty-Fifth Legislative Assembly, 1937, relating to bond of executor or executrix." .....	151, 168
178	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.17 of the Revised Codes of Montana, 1935, relating to appointment of a special appraiser and oath of executor or administrator." .....	151, 168
179	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.31, Revised Codes of Montana, 1935, relating to determination of inheritance tax." .....	151, 168
180	Introduced by Ganson: A bill for an act entitled: "An act to amend Section 4139.13, Revised Codes of Montana of 1935 by increasing the bond to be required of abstracters in the State of Montana and providing that such bond will protect all persons who rely on abstracts prepared by such abstracters." .....	151, 192
181	Introduced by McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 8902, Revised Codes of Montana, 1935, relating to the summoning of a trial jury; providing that a trial jury must be summoned at least once each year in each county when a civil or criminal case has been at issue and ready for trial for more than six months and the plaintiff or defendant in such case has requested a jury trial of such case or whenever the business of a district court requires the attendance of a trial jury for the trial of civil or criminal cases, the court must make an order directing a trial jury to be drawn and summoned to attend before said court when no jury is in attendance." .....	151, 384, 420, 425, 435, 444, 525, 557, 558, 568, 583
182	Introduced by Krieg: A bill for an act entitled: "An act to amend Section 1075 of the Revised Codes of Montana, 1935, relating to the re-election of teachers, showing when re-election becomes automatic, requiring board to give statement of reasons when teachers' re-employment is not desired, providing for hearing, and requiring teacher acceptance of contract within fixed and limited period of time." .....	151, 319, 345, 356, 447, 453, 460, 610, 638, 651
183	Introduced by Dwyer and McElwain: A bill for an	



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	act entitled: "An act to amend Section 9327 of the Revised Codes of Montana of 1935, as amended by Chapter 61 of the 1939 Session Laws, relating to issues of fact—how tried—when issues both of law and fact, the former to be first disposed of, and repealing all acts and parts of acts in conflict herewith." .....	151, 339, 379, 398, 408, 411, 494, 525, 573, 578, 583, 652
184	Introduced by Dwyer and Koch: A bill for an act entitled: "An act to amend Section 8943 and 8944 of the Revised Codes of the State of Montana of 1935, relating to providing a penalty for practicing law without a license and defining what constitutes illegal practice of law and repealing all acts and parts of acts in conflict therewith." .....	151, 192, 220, 226
185	Introduced by Koch, McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 11887 of the Revised Codes of the State of Montana relating to compensation of attorney for accused in a criminal action or proceeding where accused is unable to procure or employ counsel." .....	152, 192, 220, 226, 237, 258, 294, 438, 453, 462, 491
186	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.20 of the Revised Codes of Montana, 1935, relating to notices on matters pertaining to determination of inheritance tax." .....	152, 192, 220, 226, 227, 232, 448, 482, 492, 583
187	Introduced by Burns, O'Neil, Koch, Martin, Dokken, Anderson (Hill), Clark (Musselshell): A bill for an act entitled: "An act to amend Section 14 of Chapter 212 of the Laws of Montana of 1945 as amended by Section 5 of Chapter 297 of the Laws of Montana of 1947 by adding a new subsection preserving prior service credits to members of the armed services who were unable to qualify for such prior service credit under the public employees retirement act because of active service with the armed forces of the United States." .....	152, 397
188	Introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to employees of the supreme court and the board of trustees of the law library of the State of Montana, and their compensation, amending Sections 368, 377 and 1569, Revised Codes of Montana, 1935, as amended by Chapter 38 of the Laws of 1939, providing for appointment of employees and repealing all acts and parts of acts in conflict herewith." .....	152, 192, 220, 223, 242, 375
189	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An	

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	act to amend Section 10 of Chapter 39 of the Laws of the Twenty-Ninth Legislative Assembly of the State of Montana, 1945, relating to the license tax paid by dealers to the State Board of Equalization on gasoline and fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith." .....	152, 282, 329, 345, 358, 363, 610, 639, 652
190	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.23 of the Revised Codes of Montana, 1935, relating to the tax to be collected on any volatile liquid of less than forty-six degrees (46°) Taglianbes-Baume gravity test when sold or used to produce motor power to propel motor vehicles upon the highways and streets of the State of Montana; fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith." .....	152, 282, 323, 345, 358, 362, 610, 625, 626, 631, 655
191	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Chapter 130 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to the refund of gasoline taxes, the procedure therefor, the persons entitled thereto, fixing penalties and repealing all acts and part of acts in conflict herewith." .....	152, 330, 356, 394, 416, 435
Sub. 191	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Chapter 130 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to the refund of gasoline taxes, the procedure therefor, the persons entitled thereto, fixing penalties and repealing all acts and parts of acts in conflict herewith." .....	442, 446, 458, 597, 606, 616, 638, 639, 651
192	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.12 of the Revised Codes of Montana, 1935, relating to the license tax levied on dealers in gasoline and fixing the amount thereof; and relating to the license tax imposed on owners or operators of motor vehicles using any other volatile substance of less than forty-six degrees (46°) Taglianbes-Baume test, as defined by subsection 1 (c) of Section 2381.11 of the Revised Codes of Montana, 1935, and fixing the amount thereof; and repealing all acts and parts of acts in conflict therewith." .....	152, 282, 337, 356, 367, 372, 610, 625, 626, 631, 647, 650, 672, 673, 674

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193	Introduced by Jarussi: A bill for an act entitled: "An act to amend Section 5070, Revised Codes of Montana, 1935, as amended by Chapter 18, Montana Session Laws, 1939, as amended by Chapter 29, Montana Session Laws, 1941, as amended by Chapter 153, Montana Session Laws, 1947, relating to limits under which municipal corporations may contract for work, or for supplies, or for material, providing when establishment for bids is necessary, advising the period for such establishment, establishing limits for such contracts, repealing all acts and parts of acts in conflict herewith."	161, 210, 257, 269, 317, 334, 587, 589, 591, 600, 601, 614, 622
194	Introduced by Koch, Ballard, Tierney, Loughran, Foley, Martin, Oliver and Hunter: A bill for an act entitled: "An act authorizing George A. Neal to file with the State Board of Examiners his claim against the State of Montana, for compensation for injuries received by said George A. Neal while his automobile was chained to a snowplow of Montana State Highway Commission, in a collision on a public highway near Basin, Montana, resulting from the failure of the operators of said snowplow to signal or warn oncoming automobiles approaching in the night time, of the blocking of the highway by the snowplow and automobile while George A. Neal was in a helpless position in his automobile and when drivers of oncoming traffic were blinded by the negligent failure of the operators of the snowplow to dim bright lights thereon, and authorizing said State Board of Examiners to hear, audit and determine the said claim of George A. Neal, and making an appropriation to pay any such claim of said George A. Neal which the said State Board of Examiners may approve and allow."	161, 426
195	Introduced by Clark (Silver Bow): A bill for an act entitled: "An act to define and regulate the business of lending small sums of money in a retail manner in amounts of seventy-five dollars (\$75.00) or less; to authorize and provide for the licensing of persons engaged in such business; to permit licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this act; to provide for the making of examinations and investigations; to prescribe penalties; to provide for appeal from administrative acts hereunder and to repeal all acts and parts of acts in conflict herewith."	161, 168, 366
196	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain	

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	benefits, compensation and allowances paid by the Veterans' Administration of the United States Government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict." .....	169, 188, 209, 226, 237, 258, 294, 494, 528, 540, 557, 558, 568, 583
197	Introduced by Sales: A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commissioners of the State of Montana to sell and convey the lands described as: Lots 5, 6, 7 and 8 in section 22, township one north, range 8 east of the Montana meridian in Park County, Montana, for cash, to the best interest of the Montana Agricultural Experiment Station and the State of Montana, said lands having hereto been purchased with trust funds of the station for range purposes and cannot be longer used for that purpose." .....	169, 187, 213, 226, 227, 235, 365, 366, 371, 384, 400, 525, 546, 547, 583
198	Introduced by Clark, Dwyer, McCarthy, Mulroney and Koch: A bill for an act entitled: "An act to repeal Sections 11566.3, 11566.4 and 11566.5, Revised Codes of Montana, 1935, relating respectively to definition of entertainment, entertainment in establishments licensed to sell beer and providing penalty." .....	169, 222, 257, 269, 288
199	Introduced by Gunderson, Mernin, Tripp, Burns and Dusak: A bill for an act entitled: "An act to amend Section 2344.4, Revised Codes of Montana, 1935, relating to the metalliferous mines license tax; providing that such tax be increased." .....	169, 419
200	Introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 2 of Chapter 206 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, 1943, relating to a predatory animal control program for sheep protection; fixing the time when the levy of the annual license fee shall be made; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." .....	169, 188, 213, 226, 227, 236, 493, 529, 530, 531, 542, 622
201	Introduced by Clark (Silver Bow), Tierney, Krieg, Bricker and Hoiness: A bill for an act entitled: "An act relating to the insurance laws of the State of Montana; providing for the revision and recodi-	

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	fication thereof; directing the state auditor and ex-officio commissioner of insurance to prepare the same; and making an appropriation therefor."	169, 216, 438, 464, 465, 477, 598, 619, 620, 628, 643
202	Introduced by O'Neil, Armstrong and Burns: A bill for an act entitled: "An act providing for cancellation of record of special improvement district warrants and liability accounts in cities which warrants or liability accounts were incurred or issued prior to February 25, 1929, and the liability of which has been extinguished by reason of issuance of tax deeds, by application of statute of limitations, or other laws of the State of Montana." .....	169, 223, 269, 317, 333, 493, 529, 530, 531, 542, 583
203	Introduced by Tripp, Anderson (Phillips), Mernin, and Taber: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of Montana, relating to amending the constitution of the State of Montana, and providing that amendments to the constitution of Montana shall require a vote of three-fifths of the members voting in each house prior to submission to the qualified electors and repealing the provision that only three amendments may be submitted to the electorate at any general election." .....	170, 414
204	Introduced by Harlow and Jensen: A bill for an act entitled: "An act to repeal Sections 5724, 5725, 5726, 5727, Revised Codes of Montana, 1935, relating to contract marriages." .....	170, 209
205	Introduced by Hoiness: A bill for an act entitled: "An act to amend Section 9482 of the Revised Codes of Montana, relative to the service of summons by publication, and repealing all acts or parts of acts in conflict therewith." .....	170, 222, 257, 269, 313, 319, 493, 546, 547, 583
206	Introduced by Hoiness: A bill for an act entitled: "An act to amend Section 4987, Revised Codes of Montana of 1935, providing for the submission of plats to the city or town council, or to the county commissioners for approval, and setting forth circumstances under which such plats may be rejected." .....	170
207	Introduced by Williams, Laas, Cotton, Anderson (Phillips) and Burns: A bill for an act entitled: "A supplemental appropriation bill creating the Montana Department of Civil Air Patrol; authorizing co-operation between said patrol and the Government of the United States or any agency or	



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	department thereof and making an appropriation of money to carry out the provisions of this act."	179, 414, 416, 426
208	Introduced by Howard: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of three hundred dollars (\$300) or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges and to prescribe maximum rates of charge; to provide for the administration and enforcement of this act by the State Auditor; to provide for the issuance of regulations and orders therefor; to authorize the making of examinations and investigations, and the making of reports thereof; to provide for disposition of license and investigation fees; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith."	179, 366
209	Introduced by Domke, Harlow and Harken: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income tax deductions."	179, 368, 414, 416, 418, 435, 444, 605, 628, 635
210	Introduced by Hunter and Haytin: A bill for an act entitled: "An act to amend Section 6355.2 of the Revised Codes of Montana, 1935, relating to Articles of Incorporation and the contents thereof by inserting in sub-section 1 in the name of the association the words "or Savings and Loan Association."	179, 321, 345, 357, 373, 380, 493, 530, 531, 542, 583
211	Introduced by Hunter and Haytin: A bill for an act entitled: "An act to amend Section 6355.1 of the Revised Codes of Montana, 1935, as amended by Chapter 187 of the Session Laws of 1945, relating to Building and Loan Associations and Savings and Loan Associations and specifically defining members of Building and Loan Associations and Savings and Loan Associations."	180, 321, 345, 357, 367, 371, 493, 530, 531, 542, 583
212	Introduced by Nixon and Cunningham: A bill for an act entitled: "An act to provide for the levying against and collection from every operator of motor trucks of a tax for the use of the highways of the State of Montana to apply on the cost of administration of this act and for the maintenance, operation, construction and reconstruction of highways; providing the rate of such tax; defining certain words and phrases; providing for the distribution of such tax; providing for the application hereof to motor carriers engaged in interstate and foreign commerce; providing for certain records and accounts to be kept by such motor truck	

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	operators and motor carriers; providing for an annual report to be made to the Governor and repealing all acts and parts of acts in conflict herewith and providing when this act shall take effect." 180, 393	
213	Introduced by Jarussi: A bill for an act entitled: "An act designating the State Board of Health of Montana as water pollution agency for purposes of the Federal Water Pollution Control Act; prescribing its powers; providing for co-operation with the Surgeon General and other agencies of the federal government, other states, interstate agencies and other interested parties in all matters relating to water pollution, including the development of programs for eliminating or reducing pollution and improving sanitary conditions of waters; providing for the application and expending of federal funds; providing for the approval of projects for which application for loans or grants under the federal act is made by any municipality or agency of the State of Montana or by an interstate agency; providing for the participation in proceedings under the federal act to recommend measures for abatement of water pollution and to give consent on behalf of the state to request to the Attorney General for the bringing of suit for abatement of water pollution; providing for the co-operation of all state officers, departments and institutions with the water pollution agency." .....	188, 216, 257, 269, 313, 319, 562, 573, 605, 607, 618, 657, 658, 666, 672
214	Introduced by Jarussi: A bill for an act entitled: "An act to amend Section 5 of Chapter 163, Montana Session Laws of the Twenty-Sixth Legislative Assembly, 1939, relating to license fees to be paid by certain mercantile establishments." .....	188, 194, 377
215	Introduced by Peterson, Harpster, Harlow, Cotton, Barnard and Hess: A bill for an act entitled: "An act to provide for the growth and expansion of the public school fund; providing for the levying and collection of severance taxes and allocation of the revenues derived therefrom to the public school fund; prescribing a penalty for the evasion of such taxes; appropriating funds to effectuate the purposes herein." .....	195, 419
216	Introduced by Tierney, Foley, Dwyer, Clark (Silver Bow) and Howard: A bill for an act entitled: "An act to amend Section 2815.63, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 30, Laws of 1937, as amended by Chapter 243, Laws of 1947, relating to fixing the salaries of state liquor store vendors, and other employees of state liquor stores." .....	195, 352, 356, 379, 398, 408, 412, 587, 588, 590, 600, 601, 614, 621

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217	Introduced by Blenkner: A bill for an act entitled: "An act to amend Section 10083, Revised Codes of Montana of 1935, providing for revocation of letters of administration and designating who may obtain such revocation, and repealing all acts and parts of acts in conflict herewith." .....	195, 385
218	Introduced by Blenkner: A bill for an act entitled: "An act to amend Section 10086, Revised Codes of Montana of 1935, providing for the prior rights of relatives to revoke prior letters of administration and granting discretion to court therein and repealing all acts and parts of acts in conflict herewith." .....	195, 385, 420, 425, 435, 443, 463
219	Introduced by Foley and Tierney: A bill for an act entitled: "An act to amend Section 2 of Chapter 126, Session Laws of the Twenty-Sixth Legislative Assembly, 1939, relating to acquisition, purchase, construction, reconstruction, etc., of public service by cities and towns, by including airport construction and air port building and repealing all acts in conflict." .....	195, 210, 234, 257, 261, 287, 493, 529, 530, 531, 542, 561
220	Introduced by Nixon, Harpster and Michels: A bill for an act entitled: "An act to provide for a use tax on new motor vehicles on which no property tax has been paid and for which the purchaser thereof seeks to have licensed in the State of Montana; providing for the rate of such tax; providing for the collection thereof by the county treasurers of the respective counties in the State of Montana; providing for the proceeds of said tax to be deposited in the State Highway General Fund in the State Treasury; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith." .....	196, 330, 379, 398, 399, 409, 418, 435, 443, 668
221	Introduced by Page (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6 of Article V of the Constitution of the State of Montana, relating to the legislative department; providing that the Legislative Assembly shall meet each year for a period not to exceed forty-five days; providing for a limitation on the introduction of appropriation bills." .....	196, 373, 433, 442, 446, 452, 453
222	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 88, Laws of the Thirtieth Legislative Assembly, relating to the appointment of license agents for the State Fish and Game Commission, fixing their	

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	bond and compensation, providing for remittance of license fees and reports; providing that license agents may administer oaths to applicants for licenses, and repealing all other acts and parts of acts in conflict herewith." .....	196, 241, 313, 348, 598, 619, 620, 628, 638
223	Introduced by Emmons, Smith, Trout and Beck: A bill for an act entitled: "An act to amend Sections 292 and 293.7 of the Revised Codes of Montana, 1935, relating to purchasing supplies by the State Purchasing Agent: Authorizing such purchases to be made by solicitation of bids by mail from prospective bidders listed with the State Purchasing Agent without advertising; providing for listing of prospective bidders; providing for advertising for bids exceeding an estimated cost of two thousand dollars (\$2,000.00) or more, within discretion of State Purchasing Agent; providing for purchase in certain cases on open market with approval of the governor; repealing all acts and parts of acts in conflict herewith." .....	196, 338, 379, 398, 408, 411, 573, 578, 579, 584, 652
224	Introduced by Hess, Beck and Holding: A bill for an act entitled: "An act to amend Section 1743.1, Revised Codes of Montana, 1935, relating to vehicles carrying explosives or passengers for hire to stop at railroad crossings." .....	196, 340, 373, 395, 396, 407, 493, 529, 530, 531, 542, 584
225	Introduced by Clark (Musselshell), Culbertson, Jarussi, Barnard, Dusak, Williams, Emmons, Peterson, Burns, Holding, Hess, Nixon, Tripp and MacDonald: A bill for an act entitled: "An act amending Section 3449 of the Revised Codes of Montana, 1935, relating to the qualifications of State Coal Mine Inspector; and amending Section 3450 of the Revised Codes of Montana, 1935, as amended by Chapter 113, Session Laws 1941 and Chapter 38, Session Laws 1941, relating to the powers and duties of the State Coal-Mine Inspector; and amending Section 3453 of the Revised Codes of Montana, 1935, as amended by Chapter 58, Session Laws 1945, relating to the posting of statements at mine entrances; and amending Section 3459 of the Revised Codes of Montana, 1935, relating to the appointment of the Board of Examiners; and amending Section 3460 of the Revised Codes of Montana, 1935, relating to examination of applicants—scope—certificates of competency—and revocation; and amending Section 3461 of the Revised Codes of Montana, 1935, relating to the method of making applications for examinations; and amending Section 3463 of the Revised Codes of Montana, 1935, relating to meetings of Examining Board and method of grading;	

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	<p>and amending Section 3467 of the Revised Codes of Montana, 1935, relating to the Board of Examiners for State Coal-Mine Inspector; and amending Section 3473 of the Revised Codes of Montana, 1935, relating to the qualifications of Mine Examiners; and amending Section 3474 of the Revised Codes of Montana, 1935, relating to the granting of certificates by the Examining Board; and amending Section 3476 of the Revised Codes of Montana, 1935, relating to applications and fees for examinations; and amending Section 3478 of the Revised Codes of Montana, 1935, relating to violations; and amending Section 3480 of the Revised Codes of Montana, 1935, relating to underground surveys; and amending Section 3484 of the Revised Codes of Montana, 1935, relating to mine surveys; and amending Section 3489 of the Revised Codes of Montana, 1935, relating to hoisting; and amending Section 3492 of the Revised Codes of Montana, 1935, relating to mine openings and escapeways; and amending Section 3496 of the Revised Codes of Montana, 1935, relating to surface buildings; and amending Section 3501 of the Revised Codes of Montana, 1935, as amended by Chapter 146, Session Laws 1937—by Chapter 145, Session Laws 1939—and by Chapter 38, Session Laws of 1945, relating to ventilation of mines; and amending Section 3509 of the Revised Codes of Montana, 1935, relating to mine timber and supplies; and amending Section 3510 of the Revised Codes of Montana, 1935, relating to mine transportation; and amending Section 3515 of the Revised Codes of Montana, 1935, relating to the duties of mine foreman; and amending Section 3516 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1945, relating to duties of mine examiners; and amending Section 3521 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1935, relating to explosives and blasting; and amending Section 3538 of the Revised Codes of Montana, 1935, relating to reports to State Coal-Mine Inspector; and amending Section 3539 of the Revised Codes of Montana, 1935, relating to duty of State Coal-Mine Inspector; and amending Section 1 of Chapter 32 of the Session Laws of Montana, 1945, relating to electricity; and specifically repealing Section 3475 of the Revised Codes of Montana, 1935, relating to certificates issued to those holding certificates from other states; and repealing Section 3490 of the Revised Codes of Montana, 1935, relating to passageway around bottom of shafts; and repealing Section 3491 of the Revised Codes of Montana, 1935, relating to gates at the top of shafts; and repealing Section 3493 of the Revised Codes of Montana, 1935, relating to number of men that can be employed until escapement connection is completed; and repealing Section 3494 of the Revised Codes of Montana, 1935, relating to passageways</p>	



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	to escapements; and repealing Section 3495 of the Revised Codes of Montana, 1935, relating to distance of escapement from main shaft; and repealing Section 3497 of the Revised Codes of Montana, 1935, relating to stairways or cages in escapement shafts; and repealing Section 3503 of the Revised Codes of Montana, 1935, relating to number of persons permitted to work in one air current; and repealing Section 3504 of the Revised Codes of Montana, 1945, as amended by Chapter 38, Session Laws 1945, relating to crosscuts and brattices for ventilation; and repealing Section 3505 of the Revised Codes of Montana, 1935, relating to operation of ventilating fans, furnaces, etc.; and repealing Chapter 30, Session Laws of 1945, relating to regulating and defining gaseous mines; and repealing Section 3522 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1945, relating to manner of handling explosives; and repealing Section 3523 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1945, relating to tamping tools; and repealing Section 3524 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws of 1945, relating to system of blasting; and repealing Section 3527 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1945, relating to duties of motormen, trip riders, and drivers; and repealing Section 3526 of the Revised Codes of Montana, 1935, relating to persons permitted to ride on haulage trips; and repealing all acts and parts of acts in conflict herewith." .....	196, 386, 389, 435, 439, 453, 460, 594, 597, 657, 658, 666, 672
226	Introduced by Anderson (Hill), Williams, Clark (Musselshell), Beck and Ewing: A bill for an act entitled: "An act to establish a system of state examination for master and journeymen plumbers; fixing the fees to be charged for state licenses, and the disposition of the fund thus created, and providing penalties for the violation of the provisions of this act; repealing the following sections of the Revised Codes of Montana, 1935, to-wit: Sections 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192 and 5193, and repealing all acts or parts of acts in conflict herewith." .....	202, 391
Sub. 226	A bill for an act entitled: "An act to establish a system of state examination for master and journeymen plumbers; fixing the fees to be charged for state licenses, and the disposition of the fund thus created, and providing penalties for the violation of the provisions of this act; repealing the following sections of the Revised Codes of Montana, 1935, to-wit: Sections 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192 and 5193, and re-	

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	peeling all acts or parts of acts in conflict herewith." .....	391, 435, 442, 446, 459, 467, 476, 598, 600, 612, 638, 639
227	Introduced by Hoiness: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana, and amendment to Article VIII, Section 24 of the Constitution of the State of Montana relating to the establishment and abolition of inferior courts within the State of Montana and to provide for their jurisdiction." .....	202, 394
228	Introduced by Koch: A bill for an act entitled: "An act to amend Section 10375 of the Revised Codes of Montana, 1935, as amended by Chapter 130 of the Twenty-Eighth Session of the Legislative Assembly of Montana, relating to termination of life estate or joint tenancy and determination of inheritance tax." .....	202, 341
229	Introduced by McElwain: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6 of Article V of the Constitution of the State of Montana, relating to sessions of the Legislative Assembly and providing for split legislative sessions, time of such sessions, and providing when bills may be introduced." .....	202, 394
230	Introduced by McCarthy, Emmons, Ballard, Scofield and Wiedman: A bill for an act entitled: "An act to amend Section 3694, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 159, Session Laws, 1941, and by Section 5, Chapter 224, Session Laws, 1947; relating to fish and game." .....	202, 253, 414, 416, 418, 425, 432, 598, 619, 620, 628, 638
231	Introduced by the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses to be incurred by the Bureau of Vocational Rehabilitation for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	211, 449, 465, 468, 477, 479, 573, 578, 596, 631, 657, 658, 661, 666, 672
232	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for salaries and expenses for state parks for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	211, 229, 257, 269, 313, 318, 573, 578, 579, 584, 652

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233	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to pay the salaries of district judges for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	211, 229, 269, 317, 334, 448, 482, 483, 492, 561
234	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for the Montana Highway Patrol for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	211, 229, 269, 317, 334, 560, 579, 583
235	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for capitol building repairs and replacements for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	211, 229, 269, 317, 335, 448, 482, 483, 492, 538
236	Introduced by McElwain: A bill for an act entitled: "An act to amend Section 10171 of the Revised Codes of Montana, 1935, providing for the time within which claims may be presented against estates." .....	211, 341
237	Introduced by McElwain: A bill for an act entitled: "An act providing for the sale or lease of tax title, city or town lots, or buildings by the Board of County Commissioners; providing for appraisal, sale or lease, notice of sale and terms; and providing for taxation after sale." .....	211, 341
238	Introduced by Phillips and Dwyer: A bill for an act entitled: "An act to amend Section 21 of Chapter 227, Session Laws of Montana, 1943, as amended by Chapter 116, Session Laws of Montana, 1947, relating to salaries of Chief Probation Officers and Deputy Probation Officers in increasing such salaries, and repealing all acts in conflict." .....	211, 229, 257, 269, 317, 335, 463
239	Introduced by Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 3599 of the Revised Codes of Montana of 1935, as last amended by Section 8, of Chapter 88, of the Laws of Montana of 1939, relating to the testing of seed samples by the Montana grain inspection laboratory, and the fees to be charged therefor, and re-	

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	pealing all acts and parts of acts in conflict herewith." .....	211, 321, 345, 357, 367, 372, 560, 579, 583
240	Introduced by Koch: A bill for an act entitled: "An act to amend Section 10030, Revised Codes of Montana, 1935, relating to proof of wills when there is no contest." .....	212, 340, 373, 395, 396, 405, 493, 529, 530, 531, 542, 584
241	Introduced by Domke, Graybill, Bricker, Sales, Doken, Westlake, Gunderson, Dusak and Holtz: A bill for an act entitled: "An act authorizing and requesting the State Board of Examiners to hear, audit and determine the claim of Margaret W. Peterson, widow of James I. Peterson, alleged to have died as a result of a gun shot wound inflicted by one John Martin, a duly employed fireman at the steam plant on the campus of the Montana State College, Bozeman, Montana, on the 5th day of April, 1948, while the said James I. Peterson, a regularly enrolled and matriculated student at said Montana State College, was engaged in and taking part as an initiate in initiation ceremonies of a well established and recognized student society or fraternity on the campus of said Montana State College; and appropriating the sum of seven thousand five hundred dollars (\$7,500.00)." .....	212, 436, 447, 451, 452, 457, 469, 635, 657, 658, 666, 672
242	Introduced by Holtz, Dusak, Gunderson and Bricker: A bill for an act entitled: "An act to amend Section 2 of Chapter 182, Session Laws, 1943, relating to the Montana School for the Deaf and Blind by providing for establishment of separate classes for children with visional and/or aural defects; providing for furnishing certain special texts; authorizing the purchase of such texts by the State Board of Education; providing for distribution thereof, providing the duties of Superintendent of the Montana School for Deaf and Blind, and the State Board of Education; appropriating \$5,000.00 for the purchase of special texts, repealing all acts in conflict." .....	212, 436, 447, 451, 452, 471, 605, 607, 618, 638, 639, 651
243	Introduced by Loble, Cunningham and Nixon: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to make application to the Secretary of Agriculture of the United States to return to the State of Montana, all properties and monies transferred to the United States by the Montana Rural Rehabilitation Corporation, by that certain agreement made and entered into April 30, 1937, by and between Henry A. Wallace,	

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	as United States Secretary of Agriculture and W. J. Butler, as President of the Montana Rural Rehabilitation Corporation; designating the State Treasurer of the State of Montana as the officer to whom the transfer of the trust funds or other properties of the Montana Rural Rehabilitation Corporation shall be made; providing that the United States and the Secretary of Agriculture of the United States are to be relieved of and are freed from any and all liabilities of any kind or nature by virtue of any transfer of monies or properties to the Treasurer of the State of Montana; appropriating the sum of \$2,500.00 or so much thereof as may be necessary, out of monies in the General Fund of the state treasury not otherwise appropriated, for use by the Governor in carrying out the provisions of this act; providing that all monies received by the State Treasurer under the provisions of this act be deposited by him in the Common School Fund of the State of Montana; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of the act." .....	212, 375, 420, 441, 446, 456, 587, 588, 590, 600, 601, 614, 622
244	Introduced by Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments, by changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3,600.00) per annum to five thousand dollars (\$5,000.00) per annum and providing that the salary of the chief field agent, deputy field agents, clerks and all employees shall be fixed and determined by the board subject to the provisions of Chapter 30, Laws of 1943, by deleting the last three paragraphs of Section 1805.14, providing when this act shall take effect, and repealing all acts and parts of acts in conflict herewith." .....	212, 240, 313, 327, 365
245	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 5 of Chapter 37, Laws of the 29th Legislative Assembly of the State of Montana, 1945, relating to monies in the 'Montana Highway Patrolmen's Retirement Fund' by providing that the 'Montana Highway Patrolmen's Retirement Board' may invest the said monies in bonds of the United States or in bonds of the State of Montana, or bonds of any county, municipality or school district of the State of Montana." .....	213, 282, 323, 345, 358, 364, 598, 619, 620, 628, 638



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246	Introduced by Page (Missoula), Mulroney, Holding, Karlberg, Haytin and Hunter: A bill for an act entitled: "An act to amend Section 5095, Revised Codes of Montana, 1935, as amended by Chapter 152 of the Laws of the 30th Legislative Assembly, 1947, relating to establishment and supervision over the police department in all cities and towns, save and except where this act is in conflict with the commission form of government and provided when this act shall take effect." .....	213, 241, 313, 327, 347, 525, 546, 547, 584
247	Introduced by Page (Missoula), Mulroney, Holding, Karlberg, Haytin and Hunter: A bill for an act entitled: "An act to amend Section 5109, Revised Codes of Montana, 1935, as amended by Chapter 4 of the Laws of the 25th Legislative Assembly, 1937, as amended by Chapter 151 of the Laws of the 30th Legislative Assembly, 1947, pertaining to the establishment and supervision of a fire department in all cities and towns, and provided when this act shall take effect." .....	213, 241, 313, 327, 348, 525, 546, 547, 584
248	Introduced by Jarussi, Harlow and Trout: A bill for an act entitled: "An act regulating the issuance of certificates for teaching in the public schools of Montana; defining certain terms used in this act; enumerating the classes and kinds of said certificates, the recording, duration and renewal thereof, and prescribing the fees for the issuance, renewal or extension thereof; regulating the disposal of such fees and repealing the following sections of the Revised Codes of Montana of 1935: Sections 944, 959, 1089, 1090, 1092, 1095, 1098, 1101 and 1102, all as amended by Chapter 186 of the Session Laws of Montana of 1943 and repealing all other acts and parts of acts in conflict herewith." .....	213, 263, 345, 357, 384, 401, 573, 600, 601, 614, 621
249	Introduced by Hoiness: A bill for an act entitled: "An act to amend Section 5277.2, Revised Codes of Montana, 1935, relating to revolving fund of cities and towns for special improvements, providing for transfers from General Fund to the revolving fund, providing for a tax levy for the revolving fund, repealing all acts and parts of acts in conflict herewith." .....	213, 324, 344
250	Introduced by Clark (Silver Bow), Ballard and Dwyer: A bill for an act entitled: "An act to amend Section 5216 of the Revised Codes of Montana of 1935, relating to the certification of all city and town taxes by the County Clerk and Recorder, and the collection of such taxes as pro-	

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	vided for in this chapter by the County Treasurer." .....	213, 324
251	Introduced by McElwain and Koch: A bill for an act entitled: "An act preventing the selling or giving away of intoxicating liquor to persons under twenty-one (21) years of age; providing penalties therefore; and repealing Section 11048.1 as amended by Chapter 124 of the Laws of the Thirty-Sixth Legislative Assembly of the State of Montana, 1941, and all other acts and parts of acts in conflict herewith." .....	219, 340, 373, 395, 396, 403, 587, 600, 601, 614, 622
252	Introduced by Peterson: A bill for an act entitled: "An act to amend Section 12537, Revised Codes of Montana, 1935, as amended by Chapter 214, Session Laws, 1947, relating to payment of expenses of maintaining girls committed to the State Vocational School for Girls, by providing for admission and maintenance of Indian girls who are residents of the State of Montana, on the same basis as non-Indian girls, and repealing all acts in conflict." .....	223, 253, 416, 425, 435
253	Introduced by Peterson: A bill for an act entitled: "An act to amend Section 7 of Chapter 182, Session Laws, 1943, relating to the Montana School for the Deaf and Blind by providing that Indian children who are bona fide residents of the State of Montana shall be eligible to and shall be admitted to such school on the same terms as other resident children, and repealing all acts in conflict." .....	223, 253, 408, 416, 418, 425, 426, 435
254	Introduced by Ballard, Loughran and Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 298 of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to a license tax on trade stimulators including punch boards, pull cards, and similar devices, fixing the amount of such tax, prescribing the method of administration by the State Board of Equalization, defining the terms used herein, the disposition of revenue from said licenses, providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." .....	223, 253, 338
255	Introduced by Brenner: A bill for an act entitled: "An act to amend Section 4465.21, Revised Codes of Montana of 1935, providing for an annual inventory of county property and written agreements on loaning or leasing of county property." .....	223, 283, 323, 345, 358, 363, 587, 600, 601, 614 621
256	Introduced by Mernin, Goodgame, Wilson (Judith	

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	Basin), Burns, Smith and Emmons: A bill for an act entitled: "An act creating the old age assistance commission; providing for an old age assistance board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an old age assistance fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; making applicable existing provisions of Chapter 82, Laws of the Twenty-Fifth Legislative Assembly and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens of the State of Montana, and repealing all acts and parts of acts in conflict herewith."	223, 226
257	Introduced by Hunter: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana, 1935, as amended by Section 9 of Chapter 14, Session Laws of 1941, relative to the disposition of the revenue received under the Montana Beer Act; providing for payment to State Treasurer for deposit in state general fund; repealing the Montana Beer Act Fund; providing for auditing of books; providing that all accounting and reports to be prepared under Montana Beer Act shall be prepared for state fiscal year."	224, 260, 323, 345, 358, 360, 525, 546, 547, 610
258	Introduced by Hunter: A bill for an act entitled: "An act to amend Sections 2815.152 and 2815.155, Revised Codes of Montana, 1935, providing for reports to State Examiner and the contents thereof; and when said report shall be made; providing when balance sheets and profit and loss statements shall be made to State Examiner."	224, 235, 260, 313, 327, 337, 346, 560, 579, 583
259	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain obligations incurred by the Supreme Court, the State Forester and the Library Extension Commission under the provisions of the Public Employees Retirement System for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient."	224, 320, 353, 370, 373, 383, 448, 483, 492, 538
260	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the Governor's office for requisitions for the remainder of the current fiscal year ending June 30,	

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	1949, it being determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient." .....	224, 320, 353, 370, 373, 381, 494, 525, 541, 544, 557, 558, 568, 584
261	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the payment of fire insurance premiums for the current biennium ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	224, 320, 353, 370, 373, 381, 573, 578, 579, 584, 652
262	Introduced by Loble and McElwain: A bill for an act entitled: "An act to amend Sections two (2), five (5) and seven (7), of Chapter 171 of the Laws of 1941 providing for and authorizing the sale and lease of unredeemed tax title lands by county commissioners; and permitting counties to reserve oil and gas rights when selling or leasing such unredeemed tax lands; and providing the terms of sale or lease and the procedures therefor; and validating sales and leases heretofore made of such lands." .....	224, 340, 391, 399, 414, 428, 610, 626, 636, 657, 658, 666, 672
263	Introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 3308.3, Revised Codes of Montana, 1935, relating to the duty of mortgagees to file satisfaction of mortgages filed with the Recorder of Marks and Brands, and providing penalties for failure to file such satisfactions." .....	224, 241, 313, 327, 337, 346, 443
264	Introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 3847.1, Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, and as further amended by Chapter 262, Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to the definition of terms used in the act regulating motor carriers, and providing that the act shall apply to the transportation of livestock for hire and to add a section to Chapter 310, Political Code of Montana, 1935, to be designated Section 3847.30 providing for the granting of authority to persons engaged in the transportation of livestock 'for hire' on the date of passage of this act." .....	224, 415, 445, 452, 471, 472, 473, 597

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265	Introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana of 1943, as amended by Chapter 176 of the Laws of the Twenty-Ninth Legislative Assembly of the State of Montana of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to the inspection of livestock before removal from any county in the state, and repealing all acts in conflict herewith." .....	225, 392, 445, 447, 457, 458, 597
266	Introduced by Barnard: A bill for an act entitled: "An act to amend Sections 3, 6, 12, 14 and 15 of Chapter 208, Session Laws of 1939, and Sections 7, 8, 9 and 20 of Chapter 208, Session Laws of 1939, as amended by Chapter 199, Session Laws of 1945, relating respectively to creation of Montana Grass Conservation Commission, powers, duties, and compensation of members of commission, powers of state districts, method of voting in districts, adoption of by-laws by districts, appeals to commission, manner of creating state districts and manner of distributing grazing permits; repealing all acts in conflict." .....	225, 354, 391, 398, 417, 425, 431, 635
267	Introduced by Ballard, Van Dyke, Loble, Robertson Laas, Culbertson, Cunningham, Jarussi, Beck, Clark (Musselshell), Holtz, Nixon, Harken, Tripp, Howard, Ewing, Hall, Anderson (Hill), Anderson (Phillips), Trout, Esp, Scofield, Andersen (Richland), Haytin, Jensen, Page (Granite), Aronow, McElwain, MacDonald, McKenna, Ganson, Martin Hunter, Harlow and Cotton: A bill for an act entitled: "An act providing for the payment by the counties and the State of Montana of bounty for the destruction of magpies and taking of magpie eggs and prescribing a method of proof as to where they were killed or taken and the manner of collecting the bounty and prescribing penalties for violation of the act." .....	225, 255, 389
268	Introduced by Bricker by request: A bill for an act entitled: "An act to amend Section 4630.7 of the Revised Codes of Montana, 1935, relating to the petition and election required for county bonds issued for various purposes; providing the method of election to be followed in issuing bonds for the purpose of erecting a building or buildings as provided by law; and repealing all acts and parts of acts in conflict herewith." .....	225, 338
269	Introduced by Holding, Karlberg, Mulroney, Page (Missoula): A bill for an act entitled: "An act to amend Section 5397, Revised Codes of Montana, 1935, relating to commission form of government;	



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	providing that petition signed by five per cent (5%) of the qualified electors may demand an election to abandon such form of government.”	225, 378, 438, 448, 457, 461
270	Introduced by Holding, Peterson, Karlberg, Gunderson, Wilson (Judith Basin) and Haytin: A bill for an act entitled: “An act providing for the appointment of county planning commissions, prescribing the powers, duties, and financing thereof; providing for zoning, land use regulations and subdivision controls and defining the limits thereof; providing for building permits; providing penalties; and repealing all acts and parts of acts in conflict herewith.”	225, 283, 353, 370, 384, 390, 391, 415
271	Introduced by Scofield and Esp: A bill for an act entitled: “An act to prohibit the installation, operation, or use of television receiving sets or television screens in motor vehicles within the range of vision of the drivers or operators thereof, providing such installation, operation, or use by any person shall constitute a misdemeanor, providing penalties upon conviction of violation, and providing when this act shall take effect.”	226, 282, 323, 345, 358, 363, 463
272	Introduced by Ballard, Loughran, Clark (Silver Bow), Foley, Mernin, Tierney, Dwyer and McCarthy: A bill for an act entitled: “An act providing for payment by counties of any indebtedness incurred by a county in good faith prior to August 1, 1948, the payment of which has not been made.”	226, 393, 394, 445, 448, 463, 469, 598, 600, 615, 638, 639, 651
273	Introduced by Sales, Dokken and Westlake: A bill for an act entitled: “An act to amend Section 4542, Revised Codes of Montana, 1935, relating to county farm bureaus; providing such bureaus may be organized to work in cooperation with various interested county groups and agencies.”	229, 321, 408, 416, 418, 425, 429, 605, 628, 635, 651
274	Introduced by Sales, Dokken and Westlake: A bill for an act entitled: “An act to amend Section 4487, Revised Codes of Montana, 1935, relating to authorizing the Board of County Commissioners in each county to appropriate money out of the general fund of the county treasury and to authorize said Board of County Commissioners to make a special levy for the purpose of carrying on work in agriculture and home economics in cooperation with the Montana State College and the United States Department of Agriculture.”	229, 321, 353, 370, 384, 400, 605, 628, 629, 635

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275	<p>Introduced by Bricker and Westlake: A bill for an act entitled: "An act to amend Sections 1, 2, 3, 4, 5, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Chapter 284 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, entitled: 'An act to set the standards of the practices of civil engineering and land surveying and to safeguard life, health, property and promote the public welfare; providing for the registration of qualified persons as civil engineers and land surveyors, and providing for the certification of engineers-in-training; defining the terms 'civil engineer,' 'engineer-in-training,' 'practice of civil engineering,' 'land surveyor' and 'practice of land surveying'; creating a state board of registration for civil engineers and land surveyors and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements; and providing for the enforcement of this act and penalties for its violation, 'by setting up standards for the practice of professional engineering and land surveying, providing for the registration of qualified persons as professional engineers and land surveyors; defining the term professional engineer; creating a board of registration for professional engineers and land surveyors, and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements and providing for the enforcement of this act and penalties for its violation.'" .....</p>	229, 338
276	<p>Introduced by Duppler and Standish: A bill for an act entitled: "An act to regulate the use of rifles, pistols or revolvers, shotguns, and bows and arrows, in the pursuit, wounding or killing of game birds and big game animals; restricting the uses of automatic and semi-automatic rifles; the limitations on the cartridges to be used therein; providing the penalty for violation of this act; and repealing all acts and parts of acts in conflict herewith." .....</p>	230, 283
277	<p>Introduced by McCarthy: A bill for an act entitled: "An act to amend Section 11159, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 153, Session Laws, 1937, relating to gambling games by declaring a violation thereof to be a felony; providing a penalty and repealing all acts in conflict." .....</p>	230
278	<p>Introduced by Aronow and McKenna: A bill for an</p>	

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	act entitled: "An act to amend Section 7088 of the Revised Codes of Montana of 1935, as amended by Chapter 44 of the Session Laws of Montana of 1947, relating to succession to property by aliens and regulating the manner and conditions of such succession and providing for the institution of proceedings to determine the right of succession by non-resident aliens to succeed to property within this state and repealing all other acts and parts of acts in conflict herewith." .....	230
279	Introduced by Domke and Bricker: A bill for an act entitled: "An act to amend Section 5019 of the Revised Codes of Montana, 1935, as amended by Chapter 50 of the Laws of the 28th Legislative Assembly, 1943; amending Section 5023 of the Revised Codes of Montana, 1935, as amended by Chapter 25 of the Laws of the 28th Legislative Assembly, 1943; and amending Section 5025 of the Revised Codes of Montana, 1935, as amended by Chapter 124 of the 29th Legislative Assembly, 1945, pertaining to the salaries and qualifications of mayor and aldermen, city attorney and city clerk and repealing all acts and parts of acts in conflict herewith." .....	242, 378, 408, 416, 418, 425, 431, 610, 626, 636, 657, 658, 666, 672
280	Introduced by Tierney, Foley and Smith: A bill for an act entitled: "An act to repeal Section 2815.109 of the Revised Codes of Montana, 1935, relating to cashing of pay checks at liquor dispensaries." .....	243, 260, 313, 327, 337, 347, 525, 546, 547, 570
281	Introduced by Trout, Jensen, Howard, Tripp, Burns, Cotton, Hess, Ewing, Van Dyke and Harpster: A bill for an act entitled: "An act requiring shelter for railroad employees; providing that violation of this act shall be a misdemeanor and providing a penalty for such violation." .....	243, 397, 438, 447
282	Introduced by Koch, Sales, Gebhardt, Standish, Taber and Gunderson: A bill for an act entitled: "An act to appropriate the sum of fifty thousand (\$50,000.00) dollars as a revolving fund for the use of the Commissioner of Agriculture for the purpose of making loans and grants in aid to promote and facilitate the construction of labor camps or barracks for transient farm laborers; providing said Commissioner set up rules and regulations for securing such loans or grants in aid." .....	243, 436
283	Introduced by Ganson, Hawks, Barnard, Hess, Smith, Andersen (Richland), Page (Granite), Williams, Beck, Harpster, McElwain, Foley, Jensen and Harlow: A bill for an act entitled: "An act to amend Section 950.1 of the Revised Codes of Montana, 1935, and an act to amend Section 1 of	

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	Chapter 150 of the Laws of 1945, relating to the salaries of County Superintendent of Schools, and repealing all acts and parts of acts in conflict herewith." .....	243, 370
284	Introduced by Nixon, Bricker and Pierce: A bill for an act entitled: "An act to provide for a use tax on trucks, trailers and semi-trailers operating over and upon the highways of the State of Montana; providing for the rate of such tax; providing for the collection thereof by the County Treasurers of the respective counties in the State of Montana; providing for the deposit of 95% of the proceeds of said tax in the State Highway General Fund in the State Treasury; providing for blanks to be provided to the County Treasurers by the Montana Highway Commission; providing for the retention of 5% of said tax by the said County Treasurers; providing for the enforcement of the act and penalties for the violation thereof; providing for the effective date of the act and repealing all acts or parts of acts in conflict herewith." .....	243, 368, 416, 425, 446, 455, 610, 625, 626, 640, 652, 653, 654, 655, 656, 672, 673, 674
285	Introduced by Jarussi and Dokken: A bill for an act entitled: "An act limiting the right to perform autopsies upon, or dissect the dead body of a human being to cases specifically authorized by statute, or will or other written declaration or statement of the deceased; to cases where the next of kin charged with burial authorize dissection; to cases where a decedent dies in public institutions located in the State of Montana, leaving no surviving next of kin, when the manager or superintendent of the institutions named herein first secures an order of the district court authorizing such dissection or autopsy or post-mortem examination; providing that such procedures shall be conducted by licensed physicians and surgeons, and for reports by such physicians and surgeons, excepting licensed undertakers from the operation of the act to the extent permitted by law, and providing any violation of this act shall be a misdemeanor, and repealing all acts and parts of acts in conflict herewith." .....	243, 373, 420, 441, 446, 454, 573, 598, 619, 620, 628, 651
286	Introduced by Bricker: A bill for an act entitled: "An act to repeal Section 836.6 of the Revised Codes of Montana, 1935, relating to the use of state funds in the erection of residence halls at the units of the Greater University of Montana." .....	244, 425, 462
Sub. 286	A bill for an act entitled: "An act to amend Section 836.6, Revised Codes of Montana, 1935, as last amended by Chapter 291 of the Laws of the 30th	

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	Legislative Assembly, 1947, relating to the use of state funds in the erection of residence halls at the units of the Greater University of Montana." .....	464, 465
287	Introduced by Bricker: A bill for an act entitled: "An act to amend Section 4981, of the Revised Codes of Montana of 1935, relating to what the plat of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town or townsite must contain so as to authorize and empower the Board of County Commissioners of the county, or the council of the city or town, as the case may be, for good cause shown, and after a public hearing, to diminish the amount of area required to be dedicated as public parks and playgrounds or to order that no park or playground be set aside or dedicated, all without restrictions as to the areas involved, and repealing all acts and parts of acts in conflict herewith." .....	244, 425
288	Introduced by Hoiness: A bill for an act entitled: "An act to amend Section 2434 of the Revised Codes of Montana, 1935, as amended by Chapter 94 of the Twenty-Ninth Legislative Session of 1945, relating to the procuring of licenses and the fee for such licenses for bowling alleys." .....	244, 283, 329, 345, 358, 360, 573, 578, 579, 584, 652
289	Introduced by Hoiness, Peters and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 4929 of the Revised Codes of 1939 relating to the salaries and office hours of the Justice of the Peace." .....	244, 283, 438, 447
290	Introduced by Blenkner: A bill for an act entitled: "An act to amend paragraph (a) 1. of Section 11, Chapter 255, Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947; providing that licensed casualty insurers shall file with the Commissioner of Insurance of the State of Montana every manual of classifications, rules and rates, every rating plan and every modification of any such filing, which it proposes to use for casualty insurance covered by Chapter 255, Session Laws of 1947." .....	244, 353
291	Introduced by Williams: A bill for an act entitled: "An act to amend Section 20, of Chapter 152 of the Laws of the Twenty-Ninth Legislative Assembly, 1945, relating to the state aviation fund, repealing all acts and parts of acts in conflict herewith." .....	256, 339, 373, 395, 408, 410, 494, 528, 540, 557, 558, 568, 598
292	Introduced by Gunderson, Trout, Jensen, Dusak, Holtz, Mernin, Helding, Burns, Hess and Tripp: A bill for an act entitled: "An act requiring per-	



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	sons, firms, or corporations operating or controlling any railroad running through or within the state to equip its track motor cars with electric headlights and red rear electric lights of certain construction and visibility, and to have the same in use during certain hours; making it unlawful to use such track motors without such rear and head lights during certain hours, providing a penalty, and repealing all acts in conflict." .....	256, 397, 445, 448, 457, 469, 587
293	Introduced by Domke and Bricker: A bill for an act entitled: "An act to amend Sections 2, 3 and 5 of Chapter 143, Session Laws, 1947, relating to fireworks, to define fireworks; prohibiting the sale, offering or exposing for sale and use of fireworks, except in certain cases; relating to the manner of using fireworks; providing where act does not apply." .....	256, 331, 391, 399, 408, 413
294	Introduced by Gunderson, Holtz, Dusak, Peterson, and Beck: A bill for an act entitled: "An act to amend Section 19 (j) (6) (a) of Chapter 137, Session Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 164, Session Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, as amended by Chapter 233 of the Session Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, 1943, as amended by Chapter 190, Session Laws of the Twenty-Ninth Legislative Assembly of the State of Montana, 1945, providing that the term 'employment' shall not include agricultural labor, if such individual operator of a farm has not paid, in any calendar year, wages of at least four thousand dollars (\$4,000.00)." .....	256, 397, 445, 447
295	Introduced by Gunderson, Trout, Dusak, Hess, Holding, Burns, Mernin, Holtz and Tripp: A bill for an act entitled: "An act to provide for the installation of windshields and tops on track motor vehicles operated by any railroad running through or within the state; providing a penalty and repealing all acts in conflict." .....	256, 421, 462, 464, 467, 475, 597
296	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3298.18 of the Revised Codes of Montana, 1935, as amended by Chapter 78, Montana Session Laws, 1941, relating to inspection and marking of hides and carcasses of slaughtered cattle; providing for inspection of carcasses and quarters of carcasses before beef or veal shall be received for storage in commercial storage lockers or commercial cold storage plants; and	

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	repealing all acts or parts of acts in conflict herewith." .....	263, 313, 337, 356, 367, 370, 415, 446, 458, 597
297	Introduced by Domke, Working, O'Neil and Blenkner: A bill for an act entitled: "An act to reorganize and improve the public elementary and secondary school system of the State of Montana; providing for the creation of the Montana School Reorganization Commission and a County Redistricting Committee in each county to accomplish the territorial and administrative reorganization of the school districts of the state and defining the powers, duties and procedures of the same; providing the minimum qualifications for school districts, the methods of creating, abolishing and dissolving the same and the distribution of the property and indebtedness thereof; providing the mode and time of election of school district trustees; providing for the raising of revenues by school district and county taxes for support of the schools and payments by the state in support of such school and school transportation within prescribed limits; providing the method of preparation, adoption and final approval of school district budgets and the method of expenditure of school funds; providing a uniform procedure for the holding of all school elections other than bond elections and elections for special tax levies; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 964; 1029.1; 1052; 1061; 1211; repealing sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 963; 986; 987; 988; 989; 990 as last amended by Section 1, of Chapter 130, Laws of 1945; 1001; 1019; 1019.1; 1019.2; 1019.3; 1019.4; 1019.5; as amended by Section 1 of Chapter 63, Laws of 1941; 1019.6 as amended by Section 2 of Chapter 63, Laws of 1941; 1019.7; 1019.8; 1019.9; 1019.10; 1019.11; 1019.12; 1019.13; 1019.14; 1019.15; 1019.18; 1019.19; 1019.20; 1019.21; 1019.23; 1019.25; 1019.26; 1020; 1021 as amended by Section 1 of Chapter 85, Laws of 1943; 1024 as amended by Section 1 of Chapter 61, Laws of 1943; 1026; 1027; 1030; 1031; 1034 as amended by Section 1 of Chapter 201, Laws of 1943; 1035; 1036; 1036.1; 1036.2; 1037.1; Section 1 of Chapter 47, Laws of 1945; 1037.4; 1037.5; 1039; 1039.7; 1186.1; Sections 1, 2, 3, 4, 5 and 6 of Chapter 152, Laws of 1941; Section 7 of Chapter 152, Laws of 1941, as last amended by Section 1 of Chapter 116, Laws of 1945; Sections 8 and 9 of Chapter 152, Laws of 1941; Section 13 of Chapter 152, Laws of 1941 as amended by Section 2 of Chapter 189, Laws of 1943, and Chapter 169, Laws of 1947; Section 14 of Chapter 152, Laws of 1941, as amended by Section 3 of Chapter 189, Laws of 1943; 1199; 1200.1; 1200.2; 1200.3; 1200.4 as last amended by	

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	Section 1 of Chapter 169, Laws of 1939; 1200.5; 1200.6; 1200.7; 1200.8; 1200.9; 1201.1; 1201.2; 1201.3 as last amended by Section 1 of Chapter 281, Laws of 1947; 1201.4; 1202; 1203 as amended by Section 1 of Chapter 51, Laws of 1945; 1204; 1205; 1219; 1220; 1221; 1222; 1223 as amended by Section 1 of Chapter 31, Laws of 1941; 1262.3; 1262.4; 1262.5; 1262.6; 1262.7; 1262.8; 1262.9; 1262.10; 1262.18; 1263.1; 1263.2; 1263.3; 1263.4 as amended by Section 1 of Chapter 64, Laws of 1941; 1263.5 as last amended by Section 1 of Chapter 280, Laws of 1947; 1263.6; 1263.9; 1263.10; 1263.11 as amended by Section 1 of Chapter 131, Laws of 1941; 1263.12; 1263.13; 1263.14; 1263.15; 1263.17; 1263.18; 1263.19; 1263.20; 1263.21; 1263.22; 1263.23; 1263.24; 1263.25; 1263.26; 1263.27; 1263.29; 1263.30; 1263.31; providing the effective dates of specific portions of this act and repealing all acts and parts of acts in conflict with this act." .....	264, 408, 462, 464, 467, 476, 597
298	Introduced by Hunter, Karlberg, Holding, Mulroney, Page (Missoula) and Haytin; A bill for an act entitled: "An act to amend Section 5386 of the Revised Codes of Montana, 1935, as amended by Chapter 75 of the Laws of the Twenty-Ninth Legislative Assembly, 1945, relating to the place where the council shall have its office; the salaries and compensation of the mayor and councilmen for cities operating under the commission form of government, and repealing all acts and parts of acts in conflict herewith." .....	264, 389, 435
Sub. 298	A bill for an act entitled: "An act to amend Section 5386 of the Revised Codes of Montana, 1935, as amended by Chapter 75 of the Laws of the 29th Legislative Assembly, 1945, relating to the place where the council shall have its office; the salaries and compensation of the mayor and councilmen for cities operating under the commission form of government, and repealing all acts and parts of acts in conflict herewith." .....	442, 446, 456, 598, 619, 620, 628, 672
299	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating all balances of money remaining in the several appropriations made under the provisions of House Bill No. 3, Laws of Montana of 1947, from the post war planning and construction reserve fund for the following state institutions; Eastern Montana Normal School, Billings; Montana School of Mines, Butte; Montana State College, Bozeman; Montana State Normal College, Dillon; Montana State University, Missoula; Northern Montana College, Havre; School for the Deaf and Blind, Great Falls; Industrial School for Boys, Miles City; Montana State Orphans' Home, Twin Bridges; Montana State Prison, Deer Lodge; Mon-	

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	tana Soldiers' Home, Columbia Falls; Montana State Training School, Boulder; Vocational School for Girls, Helena; Montana State Tuberculosis Sanitarium, Galen; Water Conservation Board; State Capitol; and repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act." .....	265, 320, 358, 370, 373, 382, 449, 482, 483, 452, 538
300	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate to the State Board of Examiners the balances of money remaining in the post war planning and construction reserve fund on March 1, 1949, out of the appropriations heretofore made to said fund, of which not to exceed two hundred fifty thousand (\$250,000.00) dollars was made available for architectural and engineering costs under the provisions of Section 8, of Chapter 148, of the Session Laws of Montana of 1945; repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act." .....	265, 320, 353, 370, 373, 382, 449, 482, 483, 492, 538
301	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to reappropriate money appropriated from the general fund by House Bill No. 440, Laws of 1947, to supplement appropriations heretofore made to construct buildings at the Northern Montana College and the Eastern Montana State Normal College inasmuch as these funds could not be used prior to June 30, 1949." .....	265, 320, 358, 371, 373, 382, 448, 482, 483, 492, 538
302	Introduced by Committee on Privileges and Elections: A bill for an act entitled: "An act amending Section 646 of the Revised Codes of Montana, 1935, relating to election records, by changing the length of time ballots and records must be kept from two (2) years to one (1) year." .....	265, 397, 438, 447, 453, 460, 573, 578, 579, 584, 652
303	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, relating to the licensing of guides to-wit; Section 3745, as amended by Chapter 103, Laws of 1941; Section 3746, as amended by Section 25 of Chapter 224, Laws of 1947; Section 3747, 3748, 3749 and 3750; such amendments to provide for an outfitters license in addition to a guide's license, penalty for violation of act, defining a guide, defining an outfitter, requiring guides	

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	and outfitters to keep records and submit an annual report to the state fish and game warden, and making guides and outfitters equally responsible with those employing them for violation of the law, and repealing all acts and parts of acts in conflict herewith." .....	265, 342, 367, 390, 408, 411, 597, 598, 599, 610, 638, 639, 651
304	Introduced by Harken, Wilson (Granite), Hawks, MacDonald, Skibby, Rostad, Martin, Peters, Esp, Scofield, Anderson (Phillips), Clark (Musselshell), Barnard, Trout, Andersen (Richland), Tripp, Wilson (Judith Basin), Harpster, Michels, Ewing, Nixon, Ganson, Westlake and Peterson: A bill for an act entitled: "An act authorizing the state and counties to take advantage of federal activities and grants in the control and/or eradication of grasshoppers; authorizing any county of the state and state entomologist to enter into cooperative agreements with the Federal Bureau of Entomology and Plant Quarantine, Division of Grasshopper Control; authorizing expenditure of state and county funds in payment of materials purchased by said federal bureau; creating an emergency grasshopper control fund; providing an appropriation of fifty thousand dollars (\$50,000.00); providing the manner of expenditure of said fund; defining the duties of the state entomologist, the board of examiners, and the state auditor; declaring an emergency and repealing all acts in conflict." .....	265, 324, 435, 465, 467, 477, 479, 573, 578, 579, 584, 652
305	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 2835, as amended by Chapter 162, Laws of 1937, and Section 2945 of the Revised Codes of Montana, 1935, as amended by Chapter 162 of the Laws of 1937 and Chapter 184, Laws of 1947, relating to employment of attorneys or legal advisers and to costs and disbursements in proceedings or hearing before the industrial accident board and payment out of industrial accident funds." .....	266, 282, 329, 345, 367, 371, 443
306	Introduced by Dwyer and Loble: A bill for an act entitled: "An act to amend Section XI of Part III of Chapter 82 of the Session Laws of 1937, as amended by Section 1 of Chapter 178 of the Laws of 1943, as amended by Section 1 of Chapter 63 of the Laws of 1947, relating to the amount of property exempt from claim and to recover from the estate of a decedent and to claim for old age assistance, and that no claim shall be enforced against real estate in certain cases, and providing method for distribution of funds so recovered." .....	266, 353



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307	Introduced by Dwyer (by request): A bill for an act entitled: "A bill to permit Peter W. Graham of Victor, Montana, to file an action at law against the State of Montana, and the Water Conservation Board of the State of Montana in Ravalli County, Montana, because and by reason of damages allegedly suffered by the said Peter W. Graham through the breaking of a dam constructed by the Water Conservation Board and under the authority of the Water Conservation Board in Ravalli County, Montana." .....	266, 436, 442
308	Introduced by Committee on Liquor Control: A bill for an act entitled: "An act to amend Section 2815.104, Revised Codes of Montana, 1935, relating to the state liquor control act; providing a person entering this state can have in his possession, not to exceed one gallon of alcoholic liquor which is not purchased from a state liquor store." .....	266, 325, 367, 465, 467, 474, 562
309	Introduced by O'Neil, Armstrong, Burns, Williams and Aronow: A bill for an act entitled: "An act to amend Section 1830.1, Revised Codes of Montana, 1935, relating to classification and reservation of state owned lands as state forests, by providing that any lands, interests in lands, buildings, or other property owned by the state within Glacier National Park, may be conveyed to the United States at an appraised value, without competition, in accordance with consent of the United States as expressed in Public Law 446, approved March 16, 1948, repealing all acts and parts of acts in conflict herewith, providing for the method of appraisal, and providing an effective date." .....	266, 353, 379, 398, 408, 413, 587, 600, 601, 614, 622
310	Introduced by Dokken: A bill for an act entitled: "An act to amend Section 12 of Chapter 184 of the Session Laws of 1943, relating to duties of the attorney general in connection with all escheated estates, authorizing and empowering the attorney general to employ a special assistant for such purposes and fixing the salary therefor." .....	266, 341, 359, 385, 420, 425, 433, 463
311	Introduced by Harken: A bill for an act entitled: "An act to amend Section 434, Revised Codes of Montana, 1935, relating to oath of office, where filed." .....	267, 339, 373, 395, 396, 404, 494, 528, 541, 557, 558, 568, 584
312	Introduced by Domke: A bill for an act entitled: "An act to amend Section 5090, Revised Codes of Montana, 1935, relating to when judge cannot act;	

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	providing that in such cases any duly qualified elector called in by the judge or mayor can act."	267, 386
313	Introduced by Domke, Jensen, Hall, Loughran, Dokken and Pierce: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the attractions and vacation advantages of the State for the biennium ending June 30, 1951."	267, 377
314	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act relating to game animals; empowering the State Fish and Game Commission to issue special permits for the killing or taking of certain game animals when such animals are increasing in number and damaging property; defining the terms used in this act and repealing Chapter 136 of the Session Laws of Montana of 1947; Chapter 57, Session Laws of Montana of 1947 and Section 3729.2, Revised Codes of Montana, 1935, as amended by Chapter 57 of the Session Laws of Montana of 1947; Chapter 146, Session Laws of Montana of 1945, and Section 3729.1, Revised Codes of Montana, 1935, as amended by Chapter 146, Session Laws of Montana of 1945; section 3729.3A, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith." .....	267, 342, 373, 391, 396, 404, 598, 628, 629, 635
315	Introduced by Gunderson, Holtz and Dusak: A bill for an act entitled: "An act amending Section 3565 of the Revised Codes of Montana, 1935, providing for the cooperation between the division of farming and dairying of the State Department of Agriculture and the State Association of Standard Bred Poultry, in the holding of a state exhibition by such association and for the said division of farming and dairying expending each year the sum of \$1,000.00 from its budget to further aid and assist with such exhibition and determining the policy of such exhibition and making a supplemental appropriation for the fiscal years 1949 to 1950 and 1950 to 1951 therefor, and providing that this act shall be valid notwithstanding any provisions of the budget act." .....	267, 321, 436
316	Introduced by Krieg and Harlow: A bill for an act act entitled: "An act to amend Section 1224.14 of the Revised Codes of Montana, 1935, as amended by Chapter 7, Session Laws, 1937, relating to the percentage of electors required to authorize bond issues." .....	267, 339, 373, 391
317	Introduced by Burns, Laas, Pierce, Gunderson, Standish, Trout and Hall: A bill for an act entitled: "An act to amend Section 1755, Revised Codes of Montana, 1935, as amended by Chapter 62 of the Laws of the Twenty-Eighth Legislative Assembly	

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	of Montana, 1943, providing for the appointment of the registrar of motor vehicles by the state highway commission, a deputy registrar, and relating to the duties of registrar of motor vehicles and his powers, and the records to be kept by such registrar, providing for the permanent location of his office and records at the seat of government, and repealing all acts and parts of acts in conflict herewith." .....	267, 315, 358
318	Introduced by Working: A bill for an act entitled: "An act to amend Section 1262.81 and Section 1263.8, Revised Codes of Montana as amended by Chapter 217, Session Laws of the Twenty-Sixth Legislative Assembly, 1939, and as amended by Chapter 219, Session Laws of the Twenty-Eighth Legislative Assembly, 1943, all relating to attendance of high school pupils at high schools outside of the counties of their residence, the transfer of appropriations and budgeting for such pupils." .....	267, 370, 420, 441, 446, 457, 573, 600, 601, 614, 621
319	Introduced by Barnard, Dwyer, Ganson, Hawks, Koch, McElwain and O'Neil: A bill for an act entitled: "An act to create an interim legislative committee to study duplication and overlapping of functions and duties between various departments, bureaus, boards, and offices, elective and appointive, of the government of the State of Montana; prescribing the organization, appointment, functions, duties, and powers of said committee, and appropriating a fund therefor." .....	268, 374, 433, 442, 446, 459, 562
320	Introduced by Hoiness, Clark (Silver Bow) and Gunderson: A bill for an act entitled: "An act to amend Section 5107, Revised Codes of Montana, 1935, relating to salary of chief of police; providing for an increase in the maximum salary of said officer." .....	268, 324, 358, 371, 384, 399, 543
321	Introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 65, Session Laws, 1939, and by Section 1 of Chapter 20, Session Laws, 1941, and by Chapter 207, Session Laws, 1945, relating to leasing and sub-leasing of agricultural and grazing lands and town and city lots owned by the state by providing for a preference to veterans of World War II, providing for notice by advertising in newspaper of expiration date of said leases, providing conditions when such preference granted, and repealing all acts in conflict." .....	268, 353
322	Introduced by Hoiness, Armstrong and Harlow: A bill for an act entitled: "An act to provide for the	

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	collection of income tax at source on wages," and to amend Section 2295.25 of the Revised Codes of Montana, 1935, relating to the payment of tax, penalty, interest and refund of excess payment.	268, 422
323	Introduced by Hoiness and Mulronev: A bill for an act entitled: "An act to amend Section 8890, Revised Codes of Montana, 1935, as amended by Chapter 203, Session Laws of 1939, relating to who competent to act as trial juror, and Sections 8896, 8898, 8899, 8900, Revised Codes of Montana, 1935, and Section 8901, Revised Codes of Montana, 1935, as amended by Chapter 4, Session Laws, 1947, relating to selecting and returning jurors and Section 8904, Revised Codes of Montana, 1935, as amended by Chapter 3, Session Laws, 1939, relating to drawing and summoning jurors, and repealing all acts in conflict." .....	268, 421, 423
324	Introduced by Bricker and Graybill: A bill for an act entitled: "An act to amend Section 1548, Revised Codes of Montana, 1935, relating to the state library; providing that the number of trustees on the historical and miscellaneous library board be increased." .....	268, 282, 345, 357, 384, 399, 597
325	Introduced by Bricker, Hoiness and Dwyer: A bill for an act entitled: "An act to amend Section 5194 of the Revised Codes of Montana, 1935, as amended by Chapter 48 of the Laws of the Twenty-Fifth Legislative Assembly, as amended by Chapter 71 of the Laws of the Twenty-Ninth Legislative Assembly, relating to the limitation on amount of tax for municipal purposes, distribution of funds, levy for parks, swimming pools, playgrounds, youth centers and other purposes; and repealing all acts and parts of acts in conflict herewith." .....	268, 386
326	Introduced by Pierce, Hawks and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section Three, Chapter 279, of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947, relating to fire escapes on hotels, night clubs, boarding or rooming houses, apartments, dormitories, office buildings, theaters, gymnasiums, any place of public amusement or used for public gathering, colleges, schools, stadiums, amphitheaters, factories, hospitals, motor courts, tourist inns, cabins, asylums, sanitariums, and all other places where large numbers of persons work, sleep, live, or congregate from time to time for any purpose; excepting private residences from the provisions of the act; repealing all acts and parts of acts in conflict therewith; providing for the effective date of the act." .....	288, 353, 379, 398, 414, 427, 598, 619, 620, 628, 638

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327	Introduced by Koch: A bill for an act entitled: "An act to amend Section 10400.32, Revised Codes of Montana, 1935, relating to special administration to determine tax where transfers were made in contemplation of death." .....	288, 421
328	Introduced by Koch: A bill for an act entitled: "An act to amend Section 10400.51, of the Revised Codes of Montana, 1935, relating to duties of County Clerk in checking records and transfers, and reports to the State Board of Equalization, and for filing a copy thereof for record." .....	289, 339, 373, 391, 396, 402, 446
329	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act amending Section 3655, Revised Codes of Montana, 1935, as amended by Chapter 87 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden, his qualifications, salary and duties; amending Section 3664, Revised Codes of Montana, 1935, providing for the appointment and bond of the Superintendent of State Fisheries; amending Section 3665, Revised Codes of Montana, 1935, as amended by Chapter 86 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the salary and expenses of the Superintendent of Fisheries; amending Section 3666, Revised Codes of Montana, 1935, enumerating the powers and duties of the Superintendent of State Fisheries; amending Section 3671, Revised Codes of Montana, 1935, as amended by Chapter 85 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden and the employment of clerks and stenographers, providing for the employment of professional legal assistance for the commission and the State Fish and Game Warden; and permitting the Fish and Game Warden, with the consent of the commission to establish department divisions and employ necessary personnel; amending Section 3673, Revised Codes of Montana, 1935, requiring reports of the State Fish and Game Warden and of the commission; repealing all acts or parts of acts in conflict herewith; and providing for the effective date of this act." .....	289, 342, 373, 391, 396, 402, 598, 628, 629, 635, 663, 664
330	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to appoint a Fish and Game Committee of three members to examine and revise the fish and game laws of the State of Montana; to prepare its recommendations for revision of the fish and game laws of the State of Montana and embody the same in a proposed legislative act to be submitted to the Governor	



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	on or before July 1, 1950; and that said act so prepared be presented by the Governor to the legislature of the State of Montana at the Thirty-Second Legislative Session, for its consideration; defining the powers and duties of said committee, limiting the number of meetings and providing for public hearings; providing for the payment of expenses in furtherance of this act; limiting the total amount to twenty-five hundred dollars to be paid out of the Fish and Game Fund, on approval of the Fish and Game Commission, and audit by the Board of Examiners; and appropriating said twenty-five hundred dollars from said fund; providing for the attendance of said committee at the Thirty-Second Legislative Assembly of the State of Montana before the fish and game committees of the House and Senate; providing the termination date of said committee; repealing all acts in conflict herewith, and providing for the effective date of this act." .....	289, 342, 373, 391, 396, 401
331	Introduced by Loble, Emmons and Burns: A bill for an act entitled: "An act to amend Section 4, of Chapter 204, Laws of the Twenty-Ninth Legislative Assembly of 1945, and to appropriate an additional \$350,000 out of any monies in the General Fund in the State Treasury not otherwise appropriated for the purpose of constructing and furnishing the 'Montana Veterans' and Pioneers' Memorial Building' mentioned in said Chapter 204, of the Laws of 1945; and to re-enact all of the remainder of said Chapter 204, Laws of 1945, providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith." .....	289, 374, 420, 434, 446, 454, 647, 648, 656, 659, 660, 666, 672, 673, 674
332	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 6548, Revised Codes of Montana, 1935, relating to the handling and disposal of carcasses and hides of animals killed by any corporation, association, company, person, or persons; by providing how such corporations, associations, companies, or persons may dispose of such carcasses and hides to any licensed rendering plant or renderer, if the owner shall not claim the same; providing for notification to owner, if ownership is ascertainable; providing for inspection of such hides and manner of disposal thereof; repealing all acts and parts of acts in conflict herewith, and providing this act shall be in full force and effect from and after its passage and approval." .....	290, 313, 337, 356, 373, 379, 391, 573, 600, 601, 614, 622
333	Introduced by Committee on Livestock and Public	

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	Ranges: A bill for an act entitled: "An act providing for the method of handling and accounting for dead or fallen animals by licensed renderers, defining terms, prescribing a dead or fallen animal record and setting out its function and uses, providing for disposal of hides of such dead or fallen animals in accordance with the provisions of Chapter 177 of the Laws of 1939, providing penalties for violation of this act, repealing all acts or parts of acts in conflict herewith, and establishing an effective date hereof."	290, 313, 345, 357, 367, 573, 578, 579, 583, 652
334	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act providing for licensing of rendering or disposal plants; revocation of such licenses by the Livestock Sanitary Board or by the State Veterinary Surgeon; a method of appeal by the licensee from such revocation; hearing by the district court; payment of such license fees into the General Fund of the State of Montana; promulgation by the Livestock Sanitary Board of reasonable rules and regulations and orders and the scope thereof; and providing for restraint of the operation of any rendering or disposal plant by the Livestock Sanitary Board or its agent, with notice, except where a menace to public health requires immediate and summary abatement; and providing a method of appeal by the licensee from such restraining order; hearing by the district court; and providing a penalty; and providing for the repeal of all acts and parts of acts in conflict herewith, and for an effective date." .....	290, 313, 345, 357, 373, 381, 573, 600, 601, 614, 621
335	Introduced by Jarussi: A bill for an act entitled: "An act to authorize the boards of county commissioners of the State of Montana to assist and co-operate in the control and eradication of poisonous reptiles, and to set the amount of money which may be collected and expended therefor."	290, 331
336	Introduced by Domke: A bill for an act entitled: "An act to repeal Section 8 of Chapter 163, Montana Session Laws of 1939, relating to half-year rates for store licenses." .....	297
337	Introduced by Williams: A bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful, and defining such waste; by amending Section 3554.6, relating to employment and compensation of a secretary and other help by the board; by amending Section	

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	<p>3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board Fund; by adding to said Chapter 305, Sections 3554.19, 3554.20 and 3554.21, as follows: Section 3554.10, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the oil and gas division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections 3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana, 1935." .....</p>	297, 423
Sub. 337	<p>A bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to the conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful; and defining such waste by amending Section 3554.3, relating to qualifications of board members; by amending Section 3554.6, relating to employment and compensation of a secretary and other help by the board; by amending Section 3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board Fund; by adding to said Chapter 305, Sections 3554.19, 3554.20 and 3554.21, as follows: Section 3554.19, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the oil and gas division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections 3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana of 1935." .....</p>	423, 424, 426, 466, 467, 468
338	<p>Introduced by Burns, Jarussi, MacDonald, Clark (Musselshell), Koch, Mernin, Tripp and Anderson</p>	

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	(Hill): A bill for an act entitled: "An act to establish the Veterans' Rehabilitation Service; providing for the appointment of a director; fixing his compensation, powers and duties; establishing seven districts in the state and providing for the appointment of directors thereof; fixing their salaries and establishing their qualifications; providing for the employment of additional assistance if needed; prescribing the powers and duties of the service and its agents; providing for bi-annual meetings with veterans and veterans' organizations, representatives; authorizing the service to provide a seal and designating certain employees to take oaths and acknowledgments; transferring records, property and appropriations of the Veterans' Welfare Commission, requiring certain public officers to co-operate with and assist the service; prohibiting certain acts; providing for travel allowances; providing for severability; repealing Chapter 3 of the Laws of 1945 and all of the acts or parts of acts in conflict herewith."	297, 377
339	Introduced by Aronow and Dwyer: A bill for an act entitled: "An act to amend Section 10400.5 of the Revised Codes of Montana, 1935, pertaining to lien and payment of inheritance tax, to provide that such lien shall expire ten years after death of transferor of property subject to such tax except in cases where estates are involved."	297, 385, 420, 434, 446, 459, 560, 579, 644, 645
340	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act regulating fishing from boats on certain portions of the Big Hole river and on certain portions of the Madison river, making it unlawful to fish from boats in portions of these streams and providing a penalty for violation of the act."	297, 342, 373, 391, 396, 401, 410, 422, 423, 434, 435, 446, 455, 598, 619, 620, 628
341	Introduced by Tierney: A bill for an act entitled: "An act to amend Section 2815.124, Revised Codes of Montana, 1935, relating to canvassing, etc., for orders for sale of spirits, wines and malt liquors, and providing that the advertising of beer shall conform to the Montana Beer act."	298, 351, 379, 398, 414, 427, 573, 578, 596, 649, 650
342	Introduced by Tierney: A bill for an act entitled: "An act to amend Section 2815.61, Revised Codes of Montana, 1935, relating to 'definitions' of terms used in the 'State Liquor Control Act of Montana,' and providing that the term 'beer' shall be defined as set forth in the Montana beer act by subsection (b), of Section 2815.11, as amended by Chapter	

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	30, Laws of the Twenty-Fifth Legislative Assembly of Montana, 1937." .....	298, 379, 420, 441, 446, 457, 605, 628, 629, 635
343	Introduced by Aronow: A bill for an act entitled: "An act providing a special levy in cities and towns to cover advanced engineering costs for anticipated civic projects when budgets are insufficient and when bond issues fail to take care of same and specifying limitations thereto; repealing all acts and parts of acts in conflict herewith." .....	298, 324
344	Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2620.35 of the Revised Codes of Montana, 1935, Section 2620.43 of the Revised Codes of Montana, 1935, as amended by Chapter 98 of the Laws of the Twenty-Seventh Legislative Assembly of 1941, and to repeal Section 2625.1 of the Revised Codes of Montana, 1935, relating to oleomargarine." .....	298, 369
345	Introduced by Hall: A bill for an act entitled: "An act relating to the sale of wine by food and grocery stores after procuring a license from the Montana Liquor Control Board for retail sale, said wine to be consumed off the premises where sold, length of time for which license shall issue, cost of the license to be issued, and qualifications of licensee; providing that said licensee shall purchase said wine from the Montana Liquor Control Board; repealing all acts or parts of acts in conflict herewith, and providing for the effective date of this act." .....	298, 351
346	Introduced by Emmons, Hess, Clark (Musselshell), Anderson (Hill), Burns, O'Neil, Smith, Karlberg, Mernin and Holding: A bill for an act entitled: "An act to repeal Section 2819 of the Revised Codes of Montana, 1935, relating to the creation of the Industrial Accident Board; repealing Section 2820 of the Revised Codes of Montana, 1935, relating to the vacancy in office and removal of the appointive member of the board; repealing Section 2823 of the Revised Codes of Montana, 1935, relating to the Commissioner of Labor and Industry and the State Auditor receiving no additional compensation for duties upon Industrial Accident Board; repealing Section 2878 of the Revised Codes of Montana, 1935, relating to the definition of the term 'board'; repealing Section 3000 of the Revised Codes of Montana, 1935, relating to the investment of reserve funds of the Industrial Accident Board; creating the State Industrial Accident Board of the State of Montana, prescribing its members, the compensation of the appointed member and the term of office of said member, and providing for the appointment of one member by the Governor for a period of four	



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	years by and with the consent of the Senate; making the State Treasurer a member of, and the treasurer of the board; providing for the filling of a vacancy in the office of the appointed member; providing that the Commissioner of Agriculture, Labor and Industry and State Treasurer, as ex-officio members of the State Industrial Accident Board of the State of Montana shall receive no additional compensation; providing for the filing of affidavits of attendance at meetings, or excuse for failure so to do, as a condition for the payment of their respective salaries; prescribing the investment of reserve funds by the board and setting up the Industrial Reserve Fund; defining the term 'board'; providing for succession to the powers and duties of the Industrial Accident Board of the State of Montana; repealing all acts and parts of acts in conflict herewith; and providing the effective date for this act." .....	298, 414, 447, 451, 452, 471, 472, 635
347	Introduced by Howard: A bill for an act entitled: "An act to amend Section 12 of Chapter 172, Session Laws, 1939, relating to electric co-operative, non-profit membership corporations organized to engage in rural electrification by providing that the principal and main office be in the State of Montana; providing for establishment of branch offices; providing manner of changing place of principal and main office; repealing all acts in conflict." .....	299, 329, 368, 408, 416, 417, 422, 439, 457, 461, 605, 628, 629, 635
348	Introduced by Taber, Oliver, Duppler, Scofield, Brenner, Hall, Ewing, Howard, Ballard and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 2296 of the Revised Codes of 1935 of the State of Montana, as amended by Chapter 92 of the Session Laws of 1937 of the State of Montana, and to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133 of the Session Laws of 1947 of the State of Montana, relating to corporation license tax exemptions and the deductions allowed in computing income as relates to co-operatives, and repealing all acts and parts of acts in conflict herewith." .....	299, 322, 419
349	Introduced by Esp and Scofield: A bill for an act entitled: "An act providing for establishment of per annum rental rate per section of all state grazing lands upon the animal-unit-month basis; providing the method for determining such rental rate; defining certain terms; authorizing the State Board of Land Commissioners to provide conservation requirements in certain leases; authorizing increased or decreased rentals by the State Board of Land Commissioners under certain	

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	<p>circumstances; repealing Section 1805.25, Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207 of the Laws of 1945, and as last amended by Section 3 of Chapter 254 of the Laws of 1947; repealing Section 2 of Chapter 254 of the Laws of 1947, and all other acts and parts of acts in conflict herewith, and providing this act shall be in full force and effect from and after the first day of July, 1950." .....</p>	<p>299, 433, 462, 464, 465, 479, 480, 597, 599, 615, 657, 658, 666, 672</p>
350	<p>Introduced by Mulroney by request: A bill for an act entitled: "An act to require title insurance companies to maintain a set of abstract books approved by the Montana Abstracters' Board of Examiners in each county of the state in which said title insurance company does business, and to further provide that each such abstract plant herein provided for be under the supervision of a registered abstractor." .....</p>	<p>299, 341</p>
351	<p>Introduced by MacDonald, Clark (Musselshell), Beck, Barnard, Nixon, Anderson (Phillips), Peterson, Wilson (Judith Basin), Harpster, Page (Granite) and Skibby: A bill for an act entitled: "An act providing for the licensing and bonding, by the Livestock Commission of the State of Montana, all persons engaged in the business of buying and/or selling livestock of any kind or description for commission or speculation, excepting those bona fide ranchers or farmers of the State of Montana who are primarily engaged in the raising or feeding of livestock bought or sold; providing a penalty for violation thereof." .....</p>	<p>299, 352</p>
352	<p>Introduced by Gunderson and Holtz: A bill for an act entitled: "An act to amend Section 4238 of the Revised Codes of Montana, 1935, relating to the duties of the State Sealer, providing for supervision of installation and use of weighing devices and apparatus; repealing all acts in conflict." .....</p>	<p>299, 338, 378, 414, 416, 418, 423, 429, 605, 606, 617, 638, 639, 651</p>
353	<p>Introduced by Dwyer by request: A bill for an act entitled: "An act to reappropriate money from the General Fund by House Bill Number 432, Laws of 1947, for the purchase of the Lee House surrounded by the campus of the Montana School of Mines located at Butte, Montana, inasmuch as these funds cannot be used prior to June 30, 1949." .....</p>	<p>299, 374, 414, 416, 418, 425, 428, 573, 578, 583, 652</p>
354	<p>Introduced by Domke and Karlberg: A bill for an act entitled: "An act to amend Chapter 293 of the Laws of the Thirtieth Legislative Assembly of</p>	

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	the State of Montana of 1947, providing for an increase in the minimum compensation for members of paid fire departments of cities of the first and second class and providing for the repeal of acts insofar as they are in conflict herewith." .....	300, 324
355	Introduced by Blenkner: A bill for an act entitled: "An act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto." ....	300, 393, 445, 448, 457, 461
356	Introduced by Oliver, Working, Westlake, Holding and Hall: A bill for an act entitled: "An act to amend Section 2396.3 of the Revised Codes of Montana, 1935, as amended by Chapter 102 of the Session Laws of Montana, 1937, as amended by Chapter 213 of the Session Laws of Montana, 1939, as amended by Chapter 175 of the Session Laws of Montana, 1943, as amended by Chapter 87 of the Session Laws of Montana, 1945, relating to the method for the determination and distribution of the State Highway Fund for construction purposes; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." .....	300, 367, 393
357	Introduced by MacDonald by request: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the State Purchasing Department, for the present fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	300, 422
Sub. 357	A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the State Purchasing Department, for the present fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." .....	465, 467, 474, 598, 619, 620, 628, 638
358	Introduced by MacDonald, Trout, Andersen (Richland): A bill for an act entitled: "An act requiring the County Clerk and Recorder of each county to publish all names of registered electors having failed to vote before said names shall be stricken from the registration rolls." .....	300, 393
359	Introduced by Loble: A bill for an act entitled: "An act to amend Sections 3, 8, 9 and 10 of Chapter 142, Session Laws of 1945, relating to licensing of slot machines; defining the terms 'religious organizations,' 'fraternal organizations,' 'charitable organizations,' and 'social clubs'; providing only bona fide members permitted to use slot machines; providing for suspension and revocation of licenses and hearing thereon and appeal from decision of	

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	board; providing for effective date of this act, and repealing all acts and parts of acts in conflict herewith." .....	300, 419, 445, 448, 467, 475, 610, 626, 627, 635, 641, 647, 661, 662, 669
360	Introduced by Peters, Rostad, Hawks, Esp, Scofield and Anderson (Phillips): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIX of the Constitution of the State of Montana, relating to lotteries, by prohibiting the Legislative Assembly from enacting laws permitting gambling or games of chance." .....	300, 375, 394
361	Introduced by Domke: A bill for an act entitled: "An act relating to actions against the State of Montana to quiet title to real property, requiring certain allegations." .....	300, 368
362	Introduced by Harlow, Robertson, Tripp, Jensen, Wiedman, Mulroney and Wilson (Judith Basin): A bill for an act entitled: "An act to amend Sections 1218.2 and 1218.6, Revised Codes of Montana, 1935, relating to promise of state to repay to the Public School Permanent Fund principal and interest at 2% from and after January 1, 1935, on farm mortgage loans made from the Public School Permanent Fund and providing manner of such payment, by providing the state agrees to repay to the Public School Permanent Fund all the interest payments lost to said Public School Permanent Fund by reason of failure of payment of farm mortgage loans, providing such amount shall be computed by the State Board of Land Commissioners, providing the time and method of payment, repealing all acts and parts of acts in conflict herewith, and providing an effective date hereof." .....	301, 434, 464, 465, 477, 610, 638, 639, 672
363	Introduced by Clark (Musselshell), Anderson (Hill) and Jarussi: A bill for an act entitled: "An act relating to certain coin-operated amusement machines; defining terms; providing for state licenses, license stamps and amount of license fees; authorizing incorporated cities and towns of the State of Montana to license such machines, subject to maximum fees; providing for distribution of license fees; prohibiting persons under twenty-one years of age from playing any such machine; providing generally for the administration of this act; prescribing penalties; providing for suspension and revocation of licenses; and providing for other matters relating to this act." .....	301, 420, 445, 448, 471, 472, 597

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364	Introduced by Trout, Culbertson, Harlow, Barnard, Michels, MacDonald, Jensen and Hoiness: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XI of the Constitution of the State of Montana, relating to the apportionment of income from public school funds to the several school districts of the state and providing that districts with kindergartens receive apportions on the basis of the number of children between the ages of five (5) and twenty-one (21) years residing therein." .....	301, 394
365	Introduced by Aronow, McElwain, Dwyer, McKenna, Domke, Hoiness and Harken: A bill for an act entitled: "An act to amend Section 8933 of the Revised Codes of Montana of 1935, as amended by Chapter 73, Session Laws of Montana, of 1945, relating to salary and expenses of stenographer-apportionment." .....	301, 338
366	Introduced by Ballard: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income taxes and deductions, allowing an additional deduction for payment of alimony." .....	301, 421
367	Introduced by Tierney and Foley: A bill for an act entitled: "An act relating to the creation and establishment of a state board to be known as the Montana Resources Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for supplemental appropriation for money out of the State Treasury not otherwise appropriated for the purpose in this act expressed; giving authority to said board to contract." .....	301, 375
368	Introduced by Cotton, O'Neil and Clark (Silver Bow): A bill for an act entitled: "An act creating the Montana High School Athletic Commission, defining the powers and duties of said commission; providing for the promulgation and enforcement of rules and regulations by said commission; providing for the appointment and fixing the salary of the State High School Athletic Commission; providing for the appointment of a board of directors; creating a State Athletic Fund and providing for an amusement tax to support such fund; providing for an appropriation of ten thousand dollars (\$10,000.00) as a revolving fund for use of said commission; providing for reimbursement of such revolving fund from the State Athletic Fund; defining the terms used in this act." .....	301, 396
369	Introduced by Mernin, Emmons, Gunderson and	



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	Smith: A bill for an act entitled: "An act to amend Section 5 of Chapter 91 of the Session Laws of Montana of 1937, requiring licenses for the operation, maintenance, opening or establishment of moving picture theaters; relating to exemptions from such license requirements; relating to the collection and disposition of license fees; and repealing all acts and parts of acts in conflict herewith." .....	302, 422
370	Introduced by Mernin and Tripp: A bill for an act entitled: "An act to amend Section 1 of Chapter 94 of the Laws of Montana of 1937 as amended by Section 1 of Chapter 41 of the Laws of Montana of 1947, relating to a license tax on all persons, associations, or corporations, owning or operating a telephone business in this state, and repealing all acts and parts of acts in conflict herewith." .....	302, 419
371	Introduced by Mernin, Laas, Trout, Burns, Hess and Gunderson: A bill for an act entitled: "An act to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133, Montana Session Laws of 1947, relating to corporation license tax, deductions allowed in computing income, excluding certain deductions." .....	302, 437
372	Introduced by Emmons, Mernin, Holding, Smith, Loble, Tripp and Clark (Musselshell): A bill for an act entitled: "An act to amend Chapter 82 of the Montana Session Laws of 1937, as amended by Part IX of Chapter 5, of the Montana Session Laws of 1941, and as amended by Chapter 216 of the Montana Session Laws of 1947, by amending Sections 3, 4 and 8, Part IX of Chapter 5, of the Montana Session Laws of 1941, providing increased payments to persons having silicosis as defined in the act and by authorizing such additional appropriations as may be necessary to make such increased payments." .....	302, 337, 373, 391, 396, 405, 597, 599, 600, 631, 633, 664, 665, 672, 674
373	Introduced by Committee on Conservation of Resources: A bill for an act entitled: "An act to amend Section 1830.3, Revised Codes of Montana, 1935, and Section 1 of Chapter 128, Session Laws, 1939, as amended by Section 1 of Chapter 141, Session Laws, 1941, all relating to state forest administration; providing that State Forester's term of office be set by Governor; providing that Governor appoint and set term of office of the members of the State Board of Forestry, and repealing all acts or parts of acts in conflict herewith." .....	302, 352, 391, 398, 415
374	Introduced by Loble: A bill for an act entitled: "An act to appropriate money from the General Fund	

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	for the purpose of paying for digging and back filling a series of ditches for water and sewer utilities required by the Montana School of Mines in order to render veterans' housing units thereat tenatable in winter emergency." .....	302, 435, 442, 446, 456, 598, 619, 621, 628, 638, 383
375	Introduced by Page (Missoula), Working, Holding, Oliver, Hall and Loughran: A bill for an act entitled: "An act to amend Section 1783, Revised Codes of Montana, 1935, as amended by Chapter 111 of the Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, and as amended by Chapter 86 of the Laws of the Twenty-Ninth Legislative Assembly of the State of Montana, 1945, relating to the creation, salary, bond, term of office and number of members of the State Highway Commission, and repealing all acts and parts of acts in conflict herewith." .....	302, 375
376	Introduced by Page of Missoula: A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State University located at Missoula, Montana, for the state's contribution to the Teachers' Retirement Fund made in House Bill No. 432, Thirtieth Legislative Session, for the period beginning July 1, 1948, and ending June 30, 1949, it having been determined that such appropriation is insufficient." .....	303, 374, 414, 416, 419, 425, 429, 572, 578, 583, 652
377	Introduced by Burns: A bill for an act entitled: "An act requiring policemen in cities and towns to furnish official bonds; repealing all acts in conflict." .....	303, 377, 385
378	Introduced by Koch: A bill for an act entitled: "An act to amend Section 3685, Revised Codes of Montana of 1935 as amended by Chapter 215 of the Laws of the 30th Legislative Assembly of 1947, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and authorizing the State Fish and Game Commission to set aside funds for the feed and care of elk and to reimburse property owners for damage to or destruction of private property, and repealing all acts and parts of acts in conflict therewith." .....	303, 409
379	Introduced by Koch: A bill for an act entitled: "An act to amend Section 3729.1 of the Revised Codes of Montana of 1935, as amended by Chapter 146 of the Laws of the Twenty-Ninth Legislative Assembly of 1945, relating to the power of the State Fish and Game Commission to dispose of elk increased in numbers and damaging property, and authorizing the said commission to provide for the	

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	feed and care thereof, and to reimburse property owners for damage to or destruction of private property; providing for an appropriation therefor." .....	303, 409
380	Introduced by Westlake: A bill for an act entitled: "An act to appropriate money for the purpose of paying salaries, expenses and operation of the Montana State College located at Bozeman, Montana, for the period ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly is insufficient." .....	303, 374, 414, 416, 418, 425, 430, 605, 628, 629, 635, 651
381	Introduced by Westlake: A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State College at Bozeman, Montana, for the state's contribution to the Teachers' Retirement Fund made in House Bill No. 432, Thirtieth Legislative Session, for the period beginning July 1, 1948, and ending June 30, 1949, it having been determined that such appropriation is insufficient." .....	303, 374, 408, 416, 418, 425, 432, 572, 578, 579, 584, 652
382	Introduced by Taylor and Oliver: A bill for an act entitled: "An act to amend Section 3228.29, Revised Codes of Montana, 1935, as amended by Section 4 of Chapter 183 of the Session Laws of Montana, 1937, as amended by Section 6 of Chapter 150 of the Session Laws of Montana, 1939, relating to fees to be paid by apprentices, students, barbers and barber shops; and repealing all acts and parts of acts in conflict herewith." .....	303, 359, 366, 367
383	Introduced by Loble, Graybill and Peters: A bill for an act entitled: "An act to appropriate money from the General Fund to design, engineer, construct, erect, furnish and operate a suitable building or buildings, to be used as a home for senile men and women; providing for the acquisition of a tract of land to be used as a site for said home for senile men and women; providing for a committee of nine (9) to select said site for said home for senile men and women; authorizing the Board of Examiners to purchase the site so selected by the committee; placing a time limit upon the selection of said site; authorizing the Board of Examiners to employ architects to design the said building or buildings, and authorizing the Board of Examiners to advertise and call for bids for the construction of said building or buildings; authorizing the Board of Examiners to purchase out of any remaining monies, furnishings for said building or buildings and the employment of help to operate and maintain the same; appropriating the sum of \$5,000.00 for the expenses of said com-	

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	mittee; defining certain terms used in the act; providing for application and admission to the home for senile men and women; providing for the commitment to the home of senile men and women; providing for a warrant of commitment; providing for payment of expenses; providing for delivery of senile persons to the home; providing for parole of senile persons; providing penalties for false representation; providing for restoration to capacity; providing for appeals; providing for recovery from estates; providing for effective date of act and repealing all acts and parts of acts in conflict herewith." .....	303, 374, 375, 420, 441, 446, 457, 647, 648, 649, 672, 673
384	Introduced by Loble: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the resources and amenities of the state for the biennium ending June 30, 1951." .....	304, 604, 626, 628, 647, 648, 649, 664, 665, 672, 674
385	Introduced by Hess, Brenner, Dwyer, Page of Missoula: A bill for an act entitled: "An act to appropriate money from the General Fund of the State of Montana for salaries of personnel of the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Sub-Stations, Extension Service, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana Normal School at Billings, and Northern Montana College at Havre for the period beginning January 1, 1949, and ending June 30, 1949." .....	304, 342, 359
386	Introduced by Dwyer: A bill for an act entitled: "An act to amend Section 5 of Chapter 199 of the Session Laws of Montana, 1943, providing for the qualification of patrolmen—salary—probationary training—discharge—demotion—suspension—hearing; and repealing all acts and parts of acts in conflict herewith." .....	304, 338, 367, 390, 386, 405, 573, 578
387	Introduced by Committee on Appropriations: A bill for an act entitled: "An act directing the State Board of Examiners to issue University of Montana Building Bonds of the State of Montana under the provisions of Chapter 249 of the Laws of the Thirtieth Legislative Assembly, 1947, which law was submitted to the vote of the electors of the state at the last general election and received a majority of the votes cast for and against it at said election; and which law provides that moneys derived from the sale of said bonds shall be used for the purpose of construction and equipping of necessary buildings, other permanent improvements, acquisition of necessary grounds therefor,	

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	in and about the University of Montana, consisting of the six units thereof now existing: namely, Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and the Northern Montana College at Havre; providing for the serial issuance of said bonds and limiting the use of the funds to the purposes set forth, and validating such use." .....	304, 342, 373, 391, 396, 402, 560, 579, 583
388	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of refinishing the capitol building after certain departments of the government have moved into the new office building; for the purpose of laying new steam lines; providing ventilation and doing excavation work under the Board of Health building; and for the purpose of exchanging the Westinghouse elevator in the capitol building for a new Otis elevator." .....	305, 391, 445, 448, 457, 462, 597, 599, 600, 631, 643, 647, 664, 665, 672, 674
389	Introduced by Working, Oliver, Holding and Hall: A bill for an act entitled: "An act to appropriate to the State Board of Equalization from the State Highway Fund the sum of twenty-four thousand dollars (\$24,000.00) for each fiscal year for the biennium July 1, 1949-June 30, 1951, for the purpose of employing additional field inspectors to make more effective the work of the State Board of Equalization in the examination and payment of gasoline drawbacks from the Gasoline Drawback Fund." .....	305, 376
390	Introduced by Working, Oliver, Holding, Westlake and Hall: A bill for an act entitled: "An act to create a State Highway Study Committee; providing for the appointment of the members thereof and the filling of vacancies; authorizing such committee to study and analyze all facts relating to the development and improvement of highways, roads and streets; pertaining to the governmental and engineering and administration of state highways, county roads and city streets; pertaining to engineering design standards of state highways, county roads and city streets; pertaining to a long term highway road and street improvement program; pertaining to priority systems for the programming of construction and reconstruction thereof; pertaining to pertinent economic factors in connection therewith; pertaining to the use of same by the general public and beneficiaries of the program; pertaining to plans for financing a long term highway improvement program; requiring the com-	



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	mittee to report to the Legislative Assembly; providing that study shall be coordinated and that the committee shall prepare findings and recommendations; providing when the final report is to be filed with the Governor and made available to the public; providing for public hearings and the utilization of the employees and facilities of the State Highway Department; providing for the powers and duties of the committee; providing for actual expenses of the committee to be paid and appropriating sufficient moneys therefor; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." .....	305, 369, 370, 426
391	Introduced by Smith, Holding, Holtz, Burns: A bill for an act entitled: "An act to amend Section 4929, Revised Codes of Montana, 1935, relating to salaries of justice of the peace in certain townships and providing for an increase in such salaries." .....	305, 366, 408, 416, 419, 425, 430, 604, 628, 629, 635, 651
392	Introduced by Tripp, Taber, Peters, Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 12 of Chapter 84, Session Laws, 1937, relating to the authorizing and licensing of the sale of liquor at retail; providing that no liquor be permitted to be consumed upon licensed premises during certain hours; to amend Section 2 of Chapter 161, Session Laws, 1943, relating to the sale of beer during closed hours forbidden; providing that no beer be permitted to be consumed upon licensed premises during closed hours." .....	305, 339, 373, 390, 396, 406, 525, 546, 547, 586, 587
393	Introduced by Tripp, Taber, Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 3697 of the Revised Codes of Montana, 1935, changing the open season for deer from the third Saturday in October to the third Saturday in November and the closed season for deer shall begin the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli county the open season be from the fourth Saturday in September to the fourth Saturday in October." .....	305, 409
394	Introduced by Tripp, Clark (Musselshell), Gunderson, Mernin, Trout and MacDonald: A bill for an act entitled: "An act relating to allowance for disfigurement awards under the workmen's compensation act; providing that additional awards be made by the Industrial Accident Board in cases	

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	of loss of earning capacity and providing maximum limits on such awards." .....	306, 337, 367, 390, 396, 406, 463
395	Introduced by Tripp: A bill for an act entitled: "An act to amend Chapter 82, Part 1, Section 111 of the Session Laws of Montana passed by the Twenty-Fifth Legislative Assembly of 1937 relating to the powers and duties of the State Board of Public Welfare and repealing the residence requirement for the State Administrator of Public Welfare." .....	306, 353
396	Introduced by Bricker and Graybill: A bill for an act entitled: "An act providing for the creation of a Code Commission and a Code Commissioner; defining their powers and duties and fixing the compensation of the Code Commissioner; and making an appropriation of money to carry out the provisions of this act." .....	306, 339, 437, 438, 465, 467, 479, 480, 572
397	Introduced by Jarussi: A bill for an act entitled: "An act to appropriate money for a supplementary budget to the crippled children's division of the State Board of Health which will permit them to continue to provide medical and hospital services to crippled children for the remainder of the fiscal year 1948-1949." .....	306, 449, 465, 468, 477, 478, 598, 619, 621, 628, 638
398	Introduced by Jarussi: A bill for an act entitled: "An act to levy a placement tax on mail order catalogues, defining placement tax and mail order catalogue and prescribing the method of calculating and levying such tax, and providing for the administration of this act and penalties for the violation thereof." .....	306, 422
399	Introduced by Jarussi, Dusak and Karlberg: A bill for an act entitled: "An act to amend Section 5466 of the Revised Codes of Montana, 1935, to provide for annual examination by State Bank Examiner of cities operating under commission-manager form of government." .....	306, 378
400	Introduced by Peterson, Gunderson et al: A bill for an act entitled: "An act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing the method of letting such insurance by bid and qualifying insurers, limiting the period of insurance; providing for the gradual decrease of such insurance and for the gradual investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund;	

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	providing for re-insurance when needed, and for restoration of the fund by appropriation, if needed." .....	306, 331, 354
401	Introduced by Gunderson by request: A bill for an act entitled: "An act to amend Section 5108.15, Revised Codes of Montana, 1935, relating to days off duty without loss of compensation for members of the police force in cities of the first and second class." .....	306, 324
402	Introduced by Taber and Koch: A bill for an act entitled: "An act appropriating money for the payment for flood damage arising from the breaking of a dam under construction by the State Water Conservation Board on Fred Burr Creek in Ravalli county, in the month of May, 1948, and providing for the method of proving and paying such claims." .....	306, 384, 395, 436, 442
Sub. 402	A bill for an act entitled: "An act to permit certain residents of Ravalli County, Montana, to file an action at law against the State of Montana, and the Water Conservation Board of the State of Montana, in the District Court of the Fourth Judicial District of the State of Montana in and for the County of Ravalli, because and by reason of damages allegedly suffered by them, through the breaking of a dam constructed by the Water Conservation Board under authority of the Water Conservation Board in Ravalli County, Montana." .....	465, 467, 477, 478, 597
403	Introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.77, Revised Codes of Montana, 1935, as amended by Chapter 197, Session Laws of 1945; relating to sale of state mortgage lands, by providing for a preference to veterans of World War II, repealing all acts in conflict." .....	307, 434
404	Introduced by Hoiness and McElwain: A bill for an act entitled: "An act to amend Section 5, of Chapter 84, Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221, of the Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana, providing for notice before the issuance of a license to City Clerk and Board of County Commissioners." .....	307, 340, 379, 398, 414, 427, 562
405	Introduced by Standish, Oliver and Clark (Silver Bow): A bill for an act entitled: "An act to amend Sections 12103 and 12104 of the Revised Codes of	

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	Montana, 1935, relating to judgment of death; providing that the same shall be inflicted at a centrally located point in the state herein designated for that purpose; providing as to who may attend; providing for execution by the sheriff under the supervision of the State Warden; and providing for the return of the sheriff of the county upon the death warrant showing the execution thereof." .....	307
406	Introduced by Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 153 of the Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, and to amend Section 11159 of the Revised Codes of the State of Montana of 1935, relating to the proposition of card games and for distribution of the license fees thereof to state, county and incorporated cities and towns; providing for administration and enforcement of the act by the State Board of Equalization and law enforcement officers; prohibiting persons under 21 years of age from playing card games; providing penalties for violations of this act, suspension and revocation of license; and other provisions relating to this act; and repealing all acts or parts of acts in conflict herewith." .....	307, 437
407	Introduced by Gebhardt, Pierce, Krieg, Peters and Hoiness: A bill for an act entitled: "An act to amend Section 5040.1, Revised Codes of Montana, 1935, to provide that city council of any city may establish water rates for non-resident users without approval of the Public Service Commission." .....	307, 324, 391, 399, 417, 425, 431, 605, 628, 629, 635
408	Introduced by Hoiness, Krieg, Pierce, Peters, Gebhardt and Tripp: A bill for an act entitled: "An act to appropriate money for the purpose of making advance to a dormitory revenue bond fund of Eastern Montana State Normal School, such an advance to be repaid to the General Fund of the State Treasury out of said dormitory revenue bond fund when the proposed bond issue for the construction of the dormitory is retired." .....	307, 484
409	Introduced by Harlow: A bill for an act entitled: "An act amending Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and relating to deduction in computing income." .....	307, 437
410	Introduced by Ganson by request: A bill for an act entitled: "An act relating to tax stamps or insignia of the State of Montana; providing penalty for counterfeiting any such stamp or insignia, or having possession thereof, or being concerned therewith; prescribing penalty for re-using any such stamp or insignia, and for failure or refusal	

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	to properly affix any such stamp or insignia, or to properly cancel any such stamp." .....	307, 340, 379, 398, 408, 413, 525, 546, 547, 561
411	Introduced by Harlow: A bill for an act entitled: "An act to amend Section 1201.3, Revised Codes of Montana, 1935, as amended by Chapter 132, Session Laws, 1941, as amended by Chapter 108, Session Laws, 1943, as amended by Chapter 129, Session Laws, 1945, and as last amended by Chapter 281, Session Laws, 1947, relating to State Common School Equalization Fund and the distribution thereof." .....	308, 353, 391, 399, 408, 412, 493, 529, 530, 531, 542, 570
412	Introduced by Burns, Hess, Anderson (Hill), Clark (Musselshell): A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salary of the chief field agent of the State Board of Land Commissioners of the Department of State Lands and Investments; fixing the salary of the chief field agent at five thousand dollars per annum, payable monthly; providing for payment of necessary expenses; amending Chapter 30, Laws of 1943, to permit the salary of the chief field agent to be fixed by the legislature; providing when this act shall take effect; repealing all acts and parts of acts in conflict herewith." .....	308, 337, 365
413	Introduced by O'Neil by request: A bill for an act entitled: "An act to amend Section 2851 of the Revised Codes of Montana, 1935, as amended by Chapter 88 of the Session Laws of Montana, 1945; relating to workmen's compensation specifying classes of employees to be covered, permitting cities and towns to elect to come under Plan Two, application of the act to city and town employees drawing benefits from other acts; repealing all acts and parts of acts in conflict herewith." .....	308, 422
414	Introduced by Clark (Musselshell): A bill for an act entitled: "An act to amend Section 2949 of the Revised Codes of Montana, 1935, relating to the time for filing and the final findings and awards of the Industrial Accident Board and providing a limitation on settings for hearings upon request of either party, allowing for advances on such times by stipulation between the parties and providing a time limit for the making of awards and findings by the board." .....	308, 337, 373, 390, 410, 424, 446, 455
415	Introduced by Clark (Musselshell): A bill for an act entitled: "An act to amend Sections 2819, 2820, 2823 of the Revised Codes of Montana, 1935, relating to the creation of an elective Industrial Accident Board, terms and salary of members thereof;	



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	providing that the State Treasurer be treasurer of the board; providing for any vacancies, forbidding members receiving other offices or employment during terms." .....	308, 338
416	Introduced by O'Neil by request: A bill for an act entitled: "An act relating to abstracters and to the business of abstracting; defining the qualifications of abstracters and requiring their registration; prescribing the license fee to be paid by the applicant or the abstracter; requiring the filing of a bond, or securities in lieu thereof; and prescribing its form, penalty and amount, designating a seal to be used; fixing the penalties for the violation of this act and repealing Chapter 319 of the Revised Codes of Montana, 1935, as amended and all acts and parts of acts in conflict herewith and excepting from the provisions of this act county clerks and recorders and persons employed by counties in preparation of abstracts." .....	308, 385
417	Introduced by Harlow, Robertson and Holtz: A bill for an act entitled: "An act to amend Section 4465.20, Revised Codes of Montana, 1935, relating to publication of proceedings, list of claims, financial statement; providing for posting of list of claims paid and summary of minutes and records at adjournment of each session; repealing all acts in conflict." .....	308, 338
418	Introduced by Harlow by request: A bill for an act entitled: "An act relating to financial support for the public school system of the State of Montana, providing a basic schedule for the determination of the amounts which may be budgeted for the operation of schools, based upon the number of pupils in attendance; providing for an equalized county-wide tax to raise half the necessary amounts; providing that trustees may use separate or joint budgets for elementary and high schools; providing for an equalized levy, on a state-wide basis, to raise the amounts not raised by the county-wide tax and fixing procedure for determining the number of mills necessary for such tax; and repealing Chapter 118, Revised Codes of Montana, 1935, repealing Sections 1202, 1203, and 1019.19, Revised Codes of Montana, 1935, as amended." .....	309, 425
419	Introduced by Harlow by request: A bill for an act entitled: "An act to amend Section 177, Revised Codes of Montana of 1935, changing the percentage of Forest Reserve Fund allotted to General Fund and Common School Fund so as to provide that the Common School Fund shall receive fifty per cent thereof." .....	309, 397, 445, 448, 457, 468, 550
420	Introduced by Harlow by request: A bill for an act entitled: "An act to provide for the submission	

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	to the qualified electors of the State of Montana of an amendment to Section 6, Article XIII, of the Constitution of the State of Montana, relating to the limitation of indebtedness of liability of school districts, cities, towns or townships." .....	309, 397, 438, 447, 463, 470, 471, 597, 599, 611, 612, 638, 639, 672
421	Introduced by Gunderson et al: A bill for an act entitled: "An act to license the placing and/or maintenance of telephone, telegraph, electric light and power poles on the right of way of any state highway in the State of Montana; providing for an inventory and survey of existing poles and providing for a pro-rata license fee to be established by the State Board of Equalization; providing for collection of such license; providing for severability; repealing all acts in conflict herewith." .....	309, 328, 437
422	Introduced by Krieg and Hoiness: A bill for an act entitled: "An act to establish a foundation program of elementary and high school education and to equalize the distribution of funds to support said foundation program; creating a State Public School Equalization Fund and providing for the administration thereof; providing for the raising of revenues by school district and county taxes for support of the schools and for payments by the state in support of such schools within prescribed limits; providing for applications for approval as isolated schools and for action thereon by the County Budget Board, County Superintendent of Schools and State Superintendent of Public Instruction; providing restrictions upon the amount of expenditures in school budgets; providing the method of distribution and apportionment of school funds; providing for elections to vote upon extra levies; providing for reports by the State Board of Equalization; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1019.9, 1019.19, 1219, 1263.3, 1263.5 as amended by Section 1, Chapter 280, Laws of 1947, and Section 1263.19, and repealing all acts and parts of acts in conflict with this act." .....	309
423	Introduced by Jarussi, Van Dyke, Clark (Musselshell) and Anderson (Hill): A bill for an act entitled: "An act to amend Section 5132 of the Revised Codes of Montana of 1935, as amended by Chapter 73 of the Laws of the Twenty-Sixth Legislative Assembly, as amended by Chapter 98 of the Laws of the Twenty-Ninth Legislative Assembly, relating to service pensions, disability pensions and widows' and orphans' pensions to be paid members or survivors of members of fire depart-	

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	ments in cities and towns where firemen's relief associations have been formed." .....	309, 377, 414, 416, 418, 425, 428, 598, 619, 621, 628, 672
424	Introduced by Tierney: A bill for an act entitled: "An act to amend Chapter 199 of the Political Code of the Revised Codes of Montana, 1935, relating to collection of property taxes, by adding a new section thereto to be known as Section 2222.1, providing for the refund of taxes, penalties and costs paid under a mistake of either law or of fact and repealing all acts in conflict." .....	310, 342
425	Introduced by Tierney: A bill for an act entitled: "An act to amend Section 1751.1, Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 123, Session Laws of 1947, relating to regulating of size and weight of vehicles on public highways, by providing the axle load not to be in excess of 22,000 pounds, and repealing all acts in conflict herewith." .....	310, 392
426	Introduced by Working: A bill for an act entitled: "An act to amend Section 4320 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Gallatin County, Montana; and to amend Section 4337 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Park County, Montana." .....	310, 338
427	Introduced by Tripp and Burns: A bill for an act entitled: "An act to repeal Section 2931 of the Revised Codes of Montana, 1935, relating to exemption of interstate railroads from the workmen's compensation act and amending Section 2837 of Revised Codes of Montana, 1935, relating to exemption of railroad workers from the act excluding certain defenses in personal injury actions." .....	310, 397
428	Introduced by Tripp: A bill for an act entitled: "An act to amend Section 11169 of the Revised Codes of Montana, 1935, relating to the duty of public officers to make complaints against gamblers and providing that actions to recover gambling losses may be brought against public officers knowing or reasonably having knowledge of existence of gambling; providing defenses for such public officers; and repealing all acts and parts of acts in conflict herewith." .....	310, 368
429	Introduced by Wilson (Judith Basin), Tripp, Taber and Mernin: A bill for an act entitled: "An act to prohibit any retail grocery store from selling beer, wine or intoxicating liquors." .....	310
430	Introduced by Tripp and Peterson: A bill for an act entitled: "An act to amend Section 3696 of the Revised Codes of Montana, 1935, changing the	

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	open season for elk from the third Saturday in October to the third Saturday in November and the closed season for elk from the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli County the open season be from the fourth Saturday in September to the fourth Saturday in October." .....	310, 409
431	Introduced by Tripp, Holtz, Mernin and Burns: A bill for an act entitled: "An act to hold parents and guardians civilly liable for the torts of minor children." .....	310, 368
432	Introduced by Emmons and Tripp: A bill for an act entitled: "An act to amend Section 2953 of the Revised Codes of Montana, 1935, as amended by Chapter 62, Section 3, of the Laws of Montana, passed by the Twenty-Fifth Legislative Assembly of 1937, relating to fees of persons representing claimants in proceedings before the Industrial Accident Board; and to repeal all acts and parts of acts in conflict herewith." .....	310, 337, 373, 390, 395
433	Introduced by Tripp et al: A bill for an act entitled: "An act to prohibit any school board member or public school administrator from dismissing or otherwise coercing any public school teacher from free exercise of religion; and providing penalties for violation of this act." .....	311, 370
434	Introduced by Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, and Section 1, Chapter 30, Session Laws, 1943, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments; changing the salary of the chief field agent from forty-two hundreds dollars (\$4,200.00) to five thousand dollars (\$5,000.00) per annum, payable monthly; changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3,600.00) per annum to five thousand dollars (\$5,000.00) per annum, payable monthly; providing that the salary of the deputy field agents, clerks, and all employees shall be fixed and determined by the Board of Examiners subject to the provisions of Chapter 30, Laws of 1943; providing for the monthly payment of such salaries; deleting the last three paragraphs of Section 1805.14, Revised Codes of Montana, 1935; providing when this act shall take effect; providing for the payment of necessary expenses; repealing all acts and parts of acts in conflict herewith." .....	311, 366, 408, 416, 418, 425, 430, 597, 599, 612, 638, 639, 651

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435	Introduced by Domke and Jensen: A bill for an act entitled: "An act creating the Montana Resources Development Board, defining its powers and duties and making an appropriation to defray the cost and expense of said board." .....	311, 375, 438, 447, 457, 468, 562, 567, 598, 600, 625, 626, 637, 657, 658, 666, 672
436	Introduced by Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana and requiring that prior to the issuance of a license by the Montana Liquor Control Board, city authorities and county commissioners be informed twenty (20) days in advance." .....	311, 341
437	Introduced by Ewing, Mulroney, O'Neil, Haytin and Barnard: A bill for an act entitled: "An act to unify, coordinate and simplify under one administrative department, located at the seat of government, the regulation of motor vehicles, motor vehicle owners, operators, and persons engaged in the motor trades, which regulation is now diversified in various agencies of the state located at different locations, by creating the Motor Vehicle Department of the State of Montana, providing for the appointment by the Governor of a commissioner as the principal executive officer of such department; establishing three (3) divisions within the department (1) for registration and licensing of motor vehicles, owners and operators thereof, (2) for inspection and policing of such vehicles and of motor traffic on the highways, promotion of public safety in the use and operation of motor vehicles and enforcement of the laws relating to such safety, and (3) for the licensing of dealers, manufacturers, finance companies and salesmen and to protect motor vehicle dealers and distributors located in Montana against financial and trade coercion and other unfair economic practices; and delegating powers and functions to said department and prescribing the duties of said department in the various fields of regulation of motor vehicles, motor vehicle ownership, registration and licensing and in the regulation and policing of motor vehicle traffic; and providing for the transfer to and transferring over to the motor vehicle department hereby created, the powers, duties and functions heretofore delegated to the Montana State Highway Commission as, ex-officio, the Montana Highway Patrol Board, under Chapter	



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	199, Laws of the Twenty-Eighth Legislative Assembly, 1943, as amended by Chapter 55, Laws of the Twenty-Ninth Legislative Assembly, 1945; and providing for the transfer to and transferring over to the Motor Vehicle Department the powers, duties and functions relating to registration, licensing and titles of motor vehicles, and licensing of owners, dealers and others and to mortgages on such vehicles and the recording thereof, as heretofore delegated to the Warden of Montana State Prison at Deer Lodge, and to the deputy registrar thereat, under Sections 1755 through 1763.13, Revised Codes of Montana, 1935, inclusive (except the repealed sections numbered 1755.4, 1755.5, 1758.6, 1761 and 1762) as said sections are amended and supplemented by acts of succeeding legislative assemblies through the termination of the Thirty-First Legislative Assembly of the State of Montana; and providing for the transfer and transferring over of all powers, duties and functions respecting motor vehicles heretofore delegated to the State Board of Education and to the State Superintendent of Public Instruction, all such powers and duties to be transferred without the impairment or diminution of any thereof or of any interruption in the administration of the powers, duties and functions transferred from the former administrative agency or head to the Motor Vehicle Department, all to the end of consolidating and coordinating to one administrative department, the administration of laws relating or applicable to motor vehicles in the said fields of regulation and the promoting of direct and immediate communication in one physical location at the capitol between the officers and employees in said field: excluding from the operation of this act all of those laws whose enforcement is not delegated to the Board of Railroad Commissioners of the State of Montana and any of its ex-officio commission; and excluding from the Motor Vehicle Department the exercise of any powers with reference to taxation, except as respects the registration and license tax, fees and imposts upon motor vehicles and persons as prescribed by law." .....	311, 359
438	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1949 and ending June 30, 1951." .....	311, 325, 373, 390, 396, 404, 573, 578, 588, 590, 600, 601, 602, 614, 622
439	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the General Fund and Special Funds enumerated herein, for the operation and maintenance of certain state offices and departments for	

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	the year ending June 30, 1949, the appropriations made by the Thirtieth Legislative Assembly having been found to be insufficient." .....	410, 436, 464, 465, 467, 473, 597, 599, 600, 631, 645, 664, 665, 672, 674
440	Introduced by Domke: A bill for an act entitled: "An act to amend Chapter 298, Session Laws, 1947, relating to license tax on trade stimulators including punch boards, pull cards and similar devices; providing for the manner of affixing stamps and sale thereof by licensed jobbers; defining the term licensed jobbers; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." .....	426, 437, 465, 467, 468, 480, 610
441	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the General Fund for salaries and public employees retirement system of Veterans' Welfare Commission and Board of Education for the fiscal year ending June 30, 1949, the appropriations made by the Thirtieth Legislative Assembly having been found to be insufficient." .....	445, 465, 527, 541, 542, 544, 598, 619, 621, 628, 638
442	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1949 and ending June 30, 1951." .....	491, 492, 547, 552, 553, 555, 635, 641, 642, 664, 669, 672, 674
443	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state institutions, for the period beginning July 1, 1949 and ending June 30, 1951." .....	494, 524, 550, 587, 589, 635, 641, 647, 648, 656, 659, 666, 672, 673, 674
444	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of per diem to the attaches and for incidental expenses of the Thirty-First Legislative Assembly of the State of Montana." .....	495, 524, 547, 552, 553, 556, 598, 619, 621, 628, 638
445	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money	

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	from the General Fund for the support and maintenance of certain institutions for the year ending June 30, 1949, the appropriation made by the Thirtieth Legislative Assembly having been found to be insufficient." .....	549, 559, 570, 587, 588, 593, 606, 613, 614, 666, 667, 672, 673, 674
446	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain obligations incurred by the Supreme Court under the provisions of Sections 378 to 384 inclusive and Section 283.1, of the Revised Codes of Montana of 1935, as amended, it having been determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient." .....	549, 559, 570, 583, 589, 610, 638, 639, 651
447	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and substations, Extension Service, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana Normal School at Billings, and Northern Montana College at Havre, and for student far refunds for the period beginning July 1, 1949 and ending June 30, 1951." .....	552, 561, 593, 606, 613, 614, 647, 672, 673, 674
448	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for State Department of Public Welfare of the State of Montana for Public Assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1949 and terminating with June 30, 1951." .....	563, 568, 593, 595, 596, 606, 613, 615, 666, 667, 672, 673, 674
449	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions for the period beginning July 1, 1949, and ending June 30, 1951." .....	577, 613, 614, 616, 656, 665, 668, 669, 672, 673, 674

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450	Introduced by Duncan: A bill for an act entitled: "An act appropriating money to the Attorney General for the purpose of law enforcement, and declaring an emergency." .....	588, 593, 613, 614, 617, 618, 667, 668, 670, 671, 674, 675
451	Introduced by Committee on Appropriations: A bill for an act entitled: "An act making appropriations for the State Public School General Fund and providing for the manner of distribution thereof for the period beginning July 1, 1949 and ending June 30, 1951." .....	637, 638, 640, 641, 651, 656, 657, 672, 674

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<b>HOUSE MEMORIALS</b>		
1	Introduced by Tripp, Hawks, Standish, Burns, Clark (Musselshell), Cunningham, Hess, Trout, Jarussi, Emmons, Culbertson, Laas, Harken, McKenna, Ganson, Jensen, Hoiness, Peters, Krieg and Gebhardt: A House Memorial entitled: A House Memorial to the President of the United States, Harry S. Truman; Senator James E. Murray, Senator Zales N. Ecton, Congressman Mike Mansfield, and/or Wesley D'Ewart; Senator Joseph C. O'Mahoney, Chairman of the Senate Committee on Public Lands; Julius Krug, Secretary of the Interior; and Michael Straus, Commissioner of Reclamation, requesting the introduction and enactment into law of the necessary and proper legislation authorizing that sufficient appropriations be provided the Bureau of Reclamation for the immediate construction of Yellowtail dam located in Big Horn county in southern Montana.	85, 94, 127, 136, 154, 183, 184, 314
2	Introduced by Clark (Musselshell), Anderson (Hill), Tripp, Van Dyke, Emmons, Hess and Loble: A House Resolution to the President of the United States, Harry S. Truman; Julius Krug, Secretary of the Interior; Michael Straus, Commissioner of Reclamation; and all United States Senators and Representatives from the State of Montana; requesting immediate aid now for Montana Livestock isolated on her ranges by critical extremes of weather.	113, 114, 195
3	Introduced by O'Neil and Aronow: A memorial entitled: "A Memorial of the House of Representatives of Montana, to the Honorable Harry S. Truman, President of the United States of America, Honorable James E. Murray and Zales N. Ecton, Senators, and Honorable Mike Mansfield, and Wesley A. D'Ewart, Representatives, and Franklin D. Richards, Administrator, Federal Housing Administration, urging that Congress revise the Federal Housing Act in order that present day housing problems may be realistically met; and urging that the federal government establish a secondary market for loans on new residence property and for new loans under the G. I. act and take such steps as may be necessary to provide low rental housing for Montana needs.	241, 327, 337
4	Introduced by Mernin: A House Memorial entitled: "A Memorial of the House of Representatives of the State of Montana to the President and the Congress of the United States requesting that the federal government erect a custom smelter to eliminate the oppressive over-charges now restricting the operations of small independent mines."	296, 358, 465, 484, 538



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<b>HOUSE JOINT MEMORIALS</b>		
1	Introduced by Loble, Nixon, Beck, Harlow, Duncan, Jarussi, Smith, Holding, Emmons, Mernin, Dusak and McCarthy: "A Joint Memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation authorizing the immediate repeal of the Taft-Hartley Act, Public Law 101 of the First Session of the Eightieth Congress, cited as the 'Labor-Management Relations Act, 1947'." .....	31, 38, 44, 57, 60, 62, 65, 145
2	Introduced by Nixon, Laas, Frerich and Tripp: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Honorable Charles F. Brannan, Secretary of Agriculture, Honorable J. A. Krug, Secretary of the Interior, Honorable James E. Murray and Honorable Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, Representatives from Montana, for an act of Congress or such other authority as may be necessary to allow veterans of World War II just concluded, to acquire submarginal lands from the Department of Agriculture or the Department of the Interior which have been acquired under an act of Congress dated June 29, 1934, known as Chapter 865 (48 Stat. 1265-1275) and an act of Congress dated July 22, 1937, known as Chapter 517, Title III, Section 32 (50 Stat. 525-526)." .....	61, 70, 83, 91, 92, 96, 193, 220, 231, 285, 314, 332, 358
3	Introduced by Esp and Scofield: A joint memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Registrar of Motor Vehicles of the State of Montana, urging that said registrar use every effort to obtain ample material for the manufacture and distribution of two (2) license plates for all automobiles and trucks on which a license fee has been paid." .....	73, 84, 97, 110, 111, 118, 194, 227, 270, 313, 314, 350
4	Introduced by Domke, Loble, Burns and Smith: A Joint Memorial entitled: "A Memorial to the Congress of the United States of America, to the Honorable United States Senators James E. Murray and Zales N. Ecton, and to the Honorable Representatives in Congress Mike Mansfield and Wesley A. D'Ewart, requesting the 81st Congress introduce and pass the Veterans' Economic	

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	Development Act which was embodied in H. R. 521 and S. 1652 in the 80th Congress." .....	90, 94, 111, 133, 136, 137, 143, 449, 482, 595
5	Introduced by Committee on Petroleum, Oil and Gas: A Joint Memorial entitled: "A Joint Memorial to the President of the United States, and to the Honorable James E. Murray and Zales N. Ecton, Senators from the State of Montana, and Mike Mansfield and Wesley A. D'Ewart, Congressmen from the State of Montana, for appropriate action to alleviate the shortage of tubular goods and steel necessary for the development of Montana's oil and gas resources, and for the end of discrimination against Montana by the shipment of steel and tubular goods to foreign countries for the development of oil and gas resources in such foreign countries, and the end of the 'gray market' in steel." .....	95, 124, 137, 164, 165, 171, 242, 286, 314, 332
6	Introduced by Hawks, Wilson (Treasure), Krieg, Gebhardt, Peters and Pierce: A Joint Memorial entitled: "A Joint Memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation for appropriation of funds by the First Session of the Eighty-First Congress for the building of the Custer Battlefield Museum, at Custer Battlefield National Monument, Montana." .....	195, 241, 313, 327, 337, 350, 544, 557, 558, 568, 583
7	Introduced by Krieg, Hall and Working: A House Joint Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of Montana, to Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, opposing S. 472, 80th Congress, 2nd session, and all similar proposals for federal grants in aid for education." .....	296, 370
8	Introduced by Mernin, Tripp, Gunderson, Dusak, Holtz, Harpster, Peterson, Van Dyke, Trout, Andersen (Richland), Burns, MacDonald, Laas, Barnard, Anderson (Hill), Hess, Beck, Harlow and Clark (Musselshell): A House Joint Memorial entitled: "A Joint Memorial to the President and Congress of the United States requesting that publicly constructed power plants be used for the benefit of the public and that co-operative distributors be allowed priority in obtaining power therefrom." .....	296, 329, 367, 390, 396, 407
9	Introduced by Loble and Burns: A House Joint Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the Congress of the United States, to	

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	the Honorable United States Senators James E. Murray and Zales N. Ecton, and to the Honorable Representatives in Congress, Mike Mansfield and Wesley A. D'Ewart, relating to veterans' housing."	296, 320, 358, 371, 384, 400, 544, 557, 558, 568, 583
HOUSE RESOLUTIONS		
1	Introduced by Mernin, Tripp and Taber: Question on Electric Roll Call. ....	295, 325
2	A House Resolution to the President of the United States, Harry S. Truman, Senator James E. Murray, Senator Zales N. Ecton, Congressmen Mike Mansfield and Wesley D'Ewart, the President of the United States Chamber of Commerce, and the Governors, respectively, of the States of Montana, Idaho, Wyoming, Colorado, Utah, Washington, Oregon, North Dakota, South Dakota, Nebraska and Kansas, and the governors of any other states who might co-operate, requesting joint action in securing continuation of the Small Business Committee of the United States Senate and urging said above named officials to make immediate contact with their respective representatives in Congress."	185, 326
3	Introduced by Holding, Karlberg, Mulroney and Page (Missoula): A House Resolution to the memory of Edgar Samuel Paxson, artist, painter and writer. ....	335
4	Introduced by Bricker: "A House Resolution memorializing and requesting the Congress of the United States for the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails." ....	416
5	Introduced by Liquor Investigation Committee: A House resolution citing W. C. Mitchell for contempt. ....	440
6	Introduced by Frerich, Wiedman, Hawks, Harken, Anderson (Phillips): A resolution to the House of Representatives of the State of Montana to the President of the United States and the Congress of the United States requesting that the federal Congress enact suitable legislation to grant full citizenship to the competent Indians. ....	646, 672, 674
7	Report on liquor investigation. ....	651
HOUSE JOINT RESOLUTIONS		
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	strong, Working, Hoiness, Tripp, Peters, Dokken, Page (Missoula), Mulroney, Burns and Westlake: "A Joint Resolution relative to designation of certain highways as blue star memorial highways." .....	117, 139, 165, 175, 183, 294, 315, 347, 367, 389
2	Introduced by Peterson, Holding, Karlberg, Bricker, Harpster and Skibby: "A Joint Resolution requesting the registrar of motor vehicles of the State of Montana to exercise its reciprocal agreement power in relation to registration and licensing of motor vehicles." .....	169, 173, 193, 227, 248, 261, 287, 449, 481, 482, 492, 538
3	Introduced by Peters, Hawks, Bricker, Westlake, Goodgame, Koch, McCarthy, Hoiness and Armstrong: "A Joint Resolution designating the Ponderosa Pine as the State Tree of Montana." .....	188, 281, 345, 358, 364, 434, 449, 482, 492, 538, 619, 641, 642, 652
4	Introduced by Loble, Cunningham and Nixon: A House Joint Resolution entitled: "A resolution memorializing the Congress of the United States for the passage of legislation providing for the liquidation of the trusts under the transfer agreements with state rural rehabilitation corporations, similar to H. R. 5905, introduced by Representative Cooley in the second session of the 80th Congress of the United States, so as to enable the State of Montana to have returned to it monies and properties transferred in trust on or about April 30, 1937." .....	210, 241, 313, 327, 337, 351, 492, 560, 579, 583
5	Introduced by Loughran: A resolution to the Montana State Highway Commission to expedite the construction of that portion of the state highway between the city of Butte, Montana, and Nissler, Montana. ....	296, 369
6	Introduced by Esp and Scofield: A Joint Resolution expressing our profound appreciation and gratitude to the mayor and the officers of the city government of Helena, Montana. ....	295

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3	Introduced by Busch: A bill for an act entitled: "An act to amend Section 459.1 of the Revised Codes of Montana, 1935, as last amended by Chapter 139, of the Session Laws of Montana of 1943, relating to the compensation of state officers and employees." .....	160, 161, 200, 226, 230, 269
4	Introduced by Toman: A bill for an act entitled: "An act to amend Section 3767 of the Revised Codes of Montana, 1935, relating to Powder River game preserve." .....	78, 134, 144, 149, 576
Sub. 7	Introduced by Committee on Education: A bill for an act entitled: "An act to amend Sections 1262.53, 1262.54 and 1262.55 of the Revised Codes of Montana, 1935, relating to the establishment of junior high schools." .....	242, 484, 542, 551, 567
8	Introduced by Aronson: A bill for an act entitled: "An act to amend Section 4465.8 of the Revised Codes of Montana, 1935, as amended by Chapter 238 of the Session Laws of Montana of 1947, relating to the jurisdiction and power of counties and county commissioners to erect, furnish and maintain a court house, jail, hospital, civic center, youth center, park buildings, museums, recreation centers, and any combination thereof, and such other public buildings as may be necessary, and providing for a commission to manage the same, and providing that the county hospital may be used for the care of the indigent sick, and providing when same may be used for hospitalization of non-indigent sick, and providing for furnishing and equipping buildings suitable for county hospital purposes which may now be owned or which may hereafter be acquired by a county." .....	125, 147, 164, 170
9	Introduced by Committee on Counties and Towns: A bill for an act entitled: "An act to amend Section 4805, Revised Codes of Montana, 1935, relating	



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10	Introduced by Ross and Lott: A bill for an act entitled: "An act to amend Section 5 of Chapter 208 of the Session Laws of Montana, 1939, relating respectively to the appointment of the secretary of the commission; the duties of said secretary; and the compensation of said secretary; all relating to the grass conservation act; and repealing all acts and parts of acts in conflict herewith." .....	113, 114, 125, 156, 173, 190, 203, 250
11	Introduced by Mahoney: A bill for an act entitled: "An act to amend Sections 4497 and 4502, Revised Codes of Montana, 1935, relating to salaries of persons employed in exterminating gophers and providing a maximum charge that may be assessed against the land owners." .....	485
14	Introduced by Haight: A bill for an act entitled: "An act to amend Section 786, Revised Codes of Montana, 1935, as amended by Section 3, Chapter 23, of the Session Laws of 1945, relating to filing and disposition of packages or envelopes containing election returns; and repealing all acts and parts of acts in conflict herewith." .....	113, 114, 125, 147, 164, 179, 239
Sub. 15	Introduced by Public Lands Committee: A bill for an act entitled: "An act to amend Sections 1805.3, 1805.5, 1805.8, 1805.14 and 1805.15 of the Revised Codes of Montana of 1935, and Sections 1805.7 and 1805.12 of said Codes, as amended by Chapter 138 of the Laws of Montana of 1943, relating to the Department of State Lands and Investments, and the powers of the State Board of Land Commissioners, and transferring certain functions of the Commissioner of State Lands and Investments to the State Land Agent; defining the duties of the Commissioner of State Lands and Investments and of the State Land Agent; providing the term of office and compensation of the Commissioner and of the State Land Agent, and providing for field agents and clerical assistants in the Department of State Lands and Investments." .....	398, 487, 515, 562, 563, 582
17	Introduced by Gosman: A bill for an act entitled: "An act to amend Section 1 of Chapter 176, Session Laws of Montana of 1937, as last amended by Section 1 of Chapter 146, Session Laws of Montana of 1941; relating to an act providing for regulation of the preparation, possession and sale of narcotics in the State of Montana; defining certain words and phrases in connection therewith." .....	125, 126, 188, 190, 203, 233

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18	Introduced by Valiton, Aronson and Liggett: A bill for an act entitled: "An act relating to the sale of surplus line insurance and to surplus line agents; issuance of licenses and the fees and bonds therefor; affidavit as prerequisite to procurement of insurance; filing of power of attorney; record of business and filing of annual statement, validity of surplus line insurance; liability to suit of companies issuing insurance; venue; penalties; hearing procedure and judicial review; repeal of acts or parts of acts in conflict herewith; effective date of the act." .....	201, 354, 528, 539, 554
20	Introduced by Aronson: A bill for an act entitled: "An act to amend Section 4526 of the Revised Codes of Montana, 1935, as amended by Section 2, Chapter 131, Session Laws of 1943, relating to contracts for care of poor and indigent sick and infirm of counties." .....	390, 488, 568, 580, 589
21	Introduced by Busch: A bill for an act entitled: "An act providing for the use of parking meters by incorporated cities and towns of twenty-five hundred (2,500) population or less, and providing for the submission of the question to qualified electors." .....	342, 344, 378, 541, 546, 557
23	Introduced by Haight: A bill for an act entitled: "An act to amend Section 2 of Chapter 28 of the Session Laws of Montana of 1945, relating to elections; providing for the preparation of lists of qualified electors and poll books; requiring the stamping of the word 'taxpayer' opposite the name of each voter appearing on the poll books who is a taxpayer upon property within the state and whose name appears upon the last completed assessment roll of some county in the State of Montana." .....	342, 344, 393, 541, 550, 567
24	Introduced by Ross, Aronson and Tibbals: A bill for an act entitled: "An act to amend Sections 4884 and 4884.1, of the Revised Codes of Montana of 1935, as amended by Sections 1 and 2, Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, and as further amended by Sections 1 and 2, Chapter 201 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to mileage for members of the Legislative Assembly, state officers, county officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage when using their own automobiles in the performance of official duties." .....	201, 283, 496, 526, 554

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28	Introduced by James and Anderson: A bill for an act entitled: "An act to amend Section 7 of Chapter 199 of the Session Laws of Montana of 1943, relating to speed limits on public highways." .....	193, 194, 282, 497, 526, 555
29	Introduced by Winters and Valiton: A bill for an act entitled: "An act to amend Section 2295.14, Revised Codes of Montana, 1935, relating to state income tax returns." .....	201, 253, 257, 323, 347
30	Introduced by Wallander, Fischer and Larson: A bill for an act entitled: "An act to amend Section 8275, Revised Codes of Montana, 1935, relating to interests in personal property which may be mortgaged, and to debts which may be secured by mortgage of interests in personal property, and authorizing mortgages to secure future advances, and establishing the priority of the lien for the amounts of future advances, and providing that the mortgagee shall furnish a statement of advances and amounts paid upon demand of mortgagor or creditor." .....	452, 487, 525, 569, 578, 592, 601
31	Introduced by Wallander, Fischer and Larson: A bill for an act entitled: "An act to amend Section 8262, Revised Codes of Montana, 1935, relating to interests in real property which may be mortgaged, and to debts which may be secured by mortgage of interests in real property, and authorizing mortgages to secure future advances, and establishing the priority of the lien for the amounts of future advances, and providing that the mortgagee shall furnish a statement of advances and amounts paid upon demand of mortgagor or creditor." .....	452, 487, 525, 569, 578, 592, 602
33	Introduced by Committee on Elections and Privileges: A bill for an act entitled: "An act to amend Section 803 of the Revised Codes of Montana of 1935, relating to state canvassers, composition and meeting of board." .....	160, 161, 239, 257, 421, 495
35	Introduced by Worden and Lott: A bill for an act entitled: "An act to amend Section 1805.71, Revised Codes of Montana, 1935, relating to persons eligible to purchase state lands, and the quantities which may be purchased, and providing that any sovereign state of the United States and any trustee or public corporation or agency or political subdivision thereof, duly authorized by such sovereign states, may purchase and hold state lands; limiting the quantity which may be purchased and defining the purpose for which the same may be purchased and validating any sales of state lands heretofore made to sovereign states of	

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	the United States eligible under the provisions of this act." .....	314, 315, 548, 557, 564
37	Introduced by Busch and Ross: A bill for an act entitled: "An act to amend Section 191.2, Revised Codes of Montana, 1935, as last amended by Chapter 102 of the Session Laws of Montana of 1939, relating to an apportionment of money to counties under the Taylor Grazing Act, approved June 28, 1934 (Public Act No. 482); and repealing all acts and parts of acts in conflict herewith." .....	292, 316, 415, 494, 541, 545, 557
38	Introduced by Hofland and Brown: A bill for an act entitled: "An act amending Chapter 121, Laws of Montana, 1939, authorizing the creation of a safety or reserve fund by Mutual Hail, Fire, Lightning and other insurance companies authorized under the provisions of Sections 6170 to 6205 of the Revised Codes of Montana of 1935, and authorizing investment of the reserve fund thereof, to include loans secured by first real estate mortgages, and specifying limitations on such loans." .....	194, 354, 542, 551, 567
39	Introduced by Hofland, Brown and Mahoney: A bill for an act entitled: "An act to amend Section 6175, Revised Codes of Montana, 1935, as amended by Chapter 107, Laws of Montana, 1945, relating to powers of state rural mutual insurance companies, to provide that such corporations shall have the right to spend in any one year up to five per centum of its net earnings of the preceding year for educational purposes." .....	293, 317, 354, 541, 545, 557
40	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3698 of the Revised Codes of Montana, 1935, as amended by Section 7 of Chapter 224, Laws of 1947, relating to the destroying evidence of sex of deer; to provide a penalty for destroying evidence of sex of any big game animal, and repealing all acts and parts of acts in conflict herewith." .....	201, 202, 254, 257, 495
41	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game, by adding a subsection to be known as Section 3694.3, relating to the authority of the Fish and Game Commission to prohibit the use of small fish, dead or alive, in certain streams or lakes in the State of Montana; and making it unlawful for any person or persons to transplant or introduce any species of fish, game birds or game animals without authorization from the Fish and Game Commission; and providing penalties for violation of this act; and re-	

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	pealing all acts and parts of acts in conflict herewith." .....	216, 218, 254, 257, 495
42	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3717 of the Revised Codes of Montana, 1935, relating to the use of explosives or poisons in taking fish; providing penalty, and to exempt persons authorized by the Fish and Game Commission to control fish populations from the provisions of this act." .....	217, 218, 254, 257, 496
43	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to repeal Section 3696.1, of the Revised Codes of Montana, 1935, relating to the open season for elk in Teton county and authority of game warden to shorten." .....	201, 202, 254, 257, 496
44	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game by adding a new section to be known as Section 3722 (b) authorizing the Fish and Game Commission to manage beaver on public lands." .....	201, 202, 321, 322, 497, 553, 563
45	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3695, of the Revised Codes of Montana, 1935, relating to private artificial lake or pond, stocking, license, bond, reports, and restrictions on catching fish; providing the penalty for violation of the act; and repealing acts and parts of acts in conflict herewith." .....	217, 218, 542, 556, 563, 569, 582, 589
46	Introduced by Hofland, Brown and Mahoney: A bill for an act entitled: "An act to amend Section 4886 of the Revised Codes of Montana of 1935, as amended by Chapter 77 of the Session Laws of Montana of 1943, relating to fees allowed sheriffs for the Board of Prisoners; providing for an increase of said fees." .....	390, 485, 543, 557, 566, 576
47	Introduced by Worden and Busch: A bill for an act entitled: "An act to amend Section 11346, Revised Codes of Montana, 1935, defining the crime of burglary, and to amend Section 11349, Revised Codes of Montana, 1935, defining the word 'enter'." .....	216, 218, 542, 556, 567, 602
48	Introduced by Moss: A bill for an act entitled: "An act to amend Chapter 118 of the Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, relating to contracts for public printing, fixing the prices therefor, providing for	



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	a penalty for violation of the provisions of this act, repealing Chapter 250 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, and repealing all other acts, or parts of acts, in conflict therewith." .....	343, 344, 394, 541, 546, 578
50	Introduced by Liggett and Balgord: A bill for an act entitled: "An act to amend Section 2295.10 of the Revised Codes of Montana, 1935, as amended by Chapter 29, Laws of 1941, relating to income tax exemptions." .....	292, 316, 604, 625, 635, 641, 642, 652
51	Introduced by Worden and Moss: A bill for an act entitled: "An act to create and establish in the division of public health education in the State Board of Health a section to be known as narcotic education section; defining its purpose; fixing its powers, providing for expenses necessary to carry out the provisions of this act; authorizing the State Board of Health to accept contributions, donations and gifts; repealing Chapter 89, Laws of Montana of 1947; and all other acts and parts of acts in conflict herewith." .....	292, 316, 320, 497, 527, 554
53	Introduced by Wilson (Carbon), Liggett and Parriott: A bill for an act entitled: "An act to authorize the State of Montana to participate jointly with the Federal Government on a dollar-for-dollar basis in carrying out a program of hospital construction in accordance with the provisions of Chapter 270 of the Session Laws of Montana of 1947 and the provisions of the federal hospital survey and construction act (Public Law 725 of the Seventy-Ninth Congress, approved August 13, 1946), in cases where the appropriations of money made by the Federal Government under said Public Law 725 to the State of Montana are inadequate to meet the federal share of hospital construction, and repealing all acts and parts of acts in conflict herewith." .....	292, 316, 320, 494, 541, 545, 557
54	Introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 4 of Chapter 59 of the Session Laws of the Twenty-Eighth Legislative Assembly of the State of Montana, relating to fees for inspection of livestock before removal from county and at licensed public livestock markets, for payment of expenses to inspectors and for the disposition of the inspection fees and expenses paid to inspectors and to clarify the legislative intent and policy of the Twenty-Eighth Legislative Assembly of the State of Montana concerning the disposition of inspection fees and expenses paid to inspectors." .....	254, 255, 313, 497, 527, 554, 619

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55	Introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 3271, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 75, Laws of 1943, relating to compensation from state and county funds for animals destroyed by direction of the Montana Livestock Sanitary Board, classification of, and payment for, animals destroyed by order of said board, on the basis of appraised value, and setting up method of appraisal, by providing for destruction upon order of the state veterinary surgeon or his deputy, of animals having certain infectious-contagious, communicable or dangerous diseases, and for classification, payment, appraisal, and a basis of appraisal, limiting amount of indemnity paid by the state, giving discretionary power to the Livestock Sanitary Board to pay limited indemnity in certain instances, and providing for the application of Chapter 164 of the Laws of 1945, in determining compensation paid by the state, where the federal government or other agency contributes to indemnity paid owner." .....	254, 255, 313, 528, 538, 554
56	Introduced by Valiton and Henderson: A bill for an act entitled: "An act authorizing the State Fish and Game Warden to make payment to counties in lieu of taxes for the purpose of reimbursing said counties, either in whole or in part, for loss of taxes on real property resulting from the acquisition of land for the use and benefit of the Fish and Game Commission, and providing for the allocation of such funds to school districts effected by the acquisition of such lands." .....	343, 344, 542, 556, 564, 576
58	Introduced by Horticulture Committee: A bill for an act entitled: "An act relating to the protection of native Montana plants and shrubs; providing for the unlawful removal or destruction thereof and providing a penalty for the violations of the provisions of this act." .....	315, 316, 358, 496, 526, 549, 550, 557
Sub. 61	Introduced by Committee on Taxation: A bill for an act entitled: "An act prohibiting the licensing, use, operation, keeping or maintenance of slot machines within the State of Montana; defining certain terms used in this act; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith; providing for a referendum on this act; and providing for local option elections in counties on the question of the licensing and operation of slot machines and specifying the procedure for holding said elections." .....	484, 488, 531, 550, 552, 559, 568, 570, 576, 577, 582, 583, 589, 592, 602

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62	Introduced by Moss, Wilson (Toole): A bill for an act entitled: "An act providing for appointment of public officers by the Governor and requiring the consent of the Senate thereto." .....	292, 316
63	Introduced by Wilson (Toole) and Aronson: A bill for an act entitled: "An act to amend Section 30, Chapter 172 of the Session Laws of Montana, 1939, relating to electric co-operative, non-profit membership corporations organized to engage in rural electrification." .....	450, 486, 553, 568, 571, 576, 578
64	Introduced by Ebert and Cremer: A bill for an act entitled: "An act relating to the creation and establishment of county boards to be known as 'Montana County Resource Planning Boards,' defining the purposes thereof, relating to the members of said boards, defining the powers and duties of said boards and fixing the compensation thereof." .....	463, 489, 525, 568, 569, 593, 599, 605, 606, 607, 609, 643
65	Introduced by Rice and Gosman: A bill for an act entitled: "An act to amend Section 618 of the Revised Codes of Montana, 1935, as amended by Chapter 105 of the Laws of the Twenty-Eighth Legislative Assembly, 1943, as amended by Chapter 259 of the Laws of the Thirtieth Legislative Assembly, 1947, relating to the time of filing certificates of nomination by candidates for office and repealing all acts and parts of acts in conflict herewith." .....	315, 393, 527, 542, 552, 555, 570, 578
66	Introduced by Sawtell, Angstman, Haynes, Fewkes, Parriott and Larson: A bill for an act entitled: "An act to amend Section 4736, Revised Codes of Montana, 1935, relating to the hours when certain county officers shall keep their offices open, and repealing Section 974, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith." .....	292, 316, 338, 528, 539, 567
67	Introduced by Gosman, Doggett, Wilson (Carbon), Buck, Sawtell, Walsh, Haight, Moss, Lehrkind, Mahoney, Henderson, Simon, Fewkes, Worden, Parriott, Valiton, Cremer and Fischer: A bill for an act entitled: "An act relating to budgets for high schools and the levying of taxes for high school purposes for the school years beginning July 1, 1949 and ending June 30, 1950; and beginning July 1, 1950 and ending June 30, 1951, and expending money received by school boards from the Federal Government in addition to the regular budget." .....	484, 489, 602
70	Introduced by Ross, Wilson (Toole) and Arnold: A	

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	bill for an act entitled: "An act to provide for arbitration in all disputes between an insured and an insurance company arising over the actual cash value of growing crops damaged or destroyed by hail or the amount of loss and damage suffered by damage done to growing crops by hail; providing for the selection of arbitrators and umpire; providing for the matters to be raised to the umpire; providing for the payment of costs of arbitration." .....	452, 487, 543
72	Introduced by Padbury and James: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section Two (2) of Article Nine (IX) of the Constitution of Montana, relating to the qualifications of electors." .....	390, 485, 570
73	Introduced by Stockgrowing and Grazing Committee: A bill for an act entitled: "An act to amend Section 3307 of the Revised Codes of Montana of 1935, relating to fees for recording and re-recording of marks and brands and for furnishing certified copies of such record, and disposition of such fees." .....	325, 326, 415, 542, 551, 567
74	Introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of the Twenty-Eighth Legislative Assembly of 1943, as amended by Chapter 176 of the Laws of the Twenty-Ninth Legislative Assembly of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of 1947, relating to inspection of livestock before removal from county, and repealing all acts and parts of acts in conflict herewith." .....	326, 343, 344, 389, 542, 550, 567
75	Introduced by Haynes, Angstman, Burke and Worden: A bill for an act entitled: "An act to amend Section 5932, R. C. M., 1935, relating to corporation by-laws, records and amendment thereof; to provide that the same may be printed, typewritten or photographed; making the same retroactive." .....	326, 543, 556, 565, 576
76	Introduced by Angstman, Burke, Haynes and Worden: A bill for an act entitled: "An act to amend Sections 10210, 10211 and 10212 of the Revised Codes of Montana, 1935, prescribing when an executor and administrator may sell property of the estate, the contents of a petition for sale and when the court may order interested persons to appear." .....	343, 344, 543, 556, 565, 576
77	Introduced by Worden, Haynes, Burke and Angstman: A bill for an act entitled: "An act to amend Section 10622, Revised Codes of Montana, 1935,	

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	relating to the subpoena for witness and prescribing where a witness is not compelled to attend." .....	326, 543, 556, 565, 576
78	Introduced by Angstman, Worden and Haynes: A bill for an act entitled: "An act relating to employees of the Supreme Court and the Board of Trustees of the Law Library of the State of Montana and their compensation, amending Sections 368, 377 and 1569, Revised Codes of Montana, 1935, as amended by Chapter 38 of the Laws of 1939, providing for appointment of employees and repealing all acts and parts of acts in conflict herewith." .....	463, 489, 568, 581, 589
Sub. 82	Introduced by Committee on Taxation: A bill for an act entitled: "An act to amend Section 10400.4 of the Revised Codes of Montana, 1935, relating to inheritance tax exemptions." .....	450, 486, 572
83	Introduced by Tibbals, Moss, Mulholland and Blair: A bill for an act entitled: "An act relating to taxation and amending Section 4465.12 of the Revised Codes of Montana of 1935, and repealing all acts and parts of acts in conflict herewith." .....	390, 485, 553, 568, 571, 576
84	Introduced by Committee on Railroads and Transportation: A bill for an act entitled: "An act to amend Section 3798, Revised Codes of Montana, 1935, relating to the investigation of accidents on railroads, the manner in which they are investigated and the reporting thereof and setting the minimum value of property in accidents to be reported." .....	451, 485, 577
87	Introduced by Haight, Arnold, Cole and McQuitty: A bill for an act entitled: "An act to amend Section 2396.4, Revised Codes of Montana, 1935, as amended by Chapter 96, Session Laws of the Twenty-Fifth Legislative Assembly and by Chapter 67 of the Session Laws of the Twenty-Sixth Legislative Assembly and by Chapter 130, Session Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to refund of gasoline license taxes by providing the manner of proving claims in case of destroyed invoices." .....	464, 490, 595, 599, 606, 626
92	Introduced by Kelly and Aronson: A bill for an act entitled: "An act to amend Section 3, Chapter 80, Session Laws of Montana, 1937, relating to unfair practice, defining 'cost' and 'customary cash discounts' and to amend Section 12A of Chapter 80, Session Laws of Montana, 1937, as it was added by Section 2 of Chapter 50, Session Laws of Montana, 1939, and as said section was amended by Section 2, Chapter 21, Session Laws of Montana,	



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	1945, by striking therefrom the word 'retail' wherever the same appears therein." .....	451, 485, 559, 568, 571, 602
93	Introduced by Manning: A bill for an act entitled: "An act to provide for the creation of high school districts after public hearing; designating the commission empowered to establish such districts; designating the members of the boards of trustees of high school districts; providing for the consideration by said boards of high school expenditures proposed to be paid by special tax levies; providing for elections to vote upon special tax levies for high school purposes; providing that such special taxes shall be levied upon all property within high school districts; providing that when a special tax for high school purposes has been voted in a high school district, no additional special high school tax may be submitted in the same year to a vote in the local school district wherein the high school is situated; and repealing all acts and parts of acts in conflict with this act." .....	484, 489, 572, 578, 591, 602
95	Introduced by Kelly, Worden, Wenger, Wilson (Toole), Valiton and Markle: A bill for an act entitled: "An act to amend Section 3654 of the Revised Codes of Montana, 1935, relating to compensation of Montana Fish and Game Commissioners." .....	452, 487, 542, 556, 565, 576
Sub. 96	Introduced by Committee on Roads and Highways: A bill for an act entitled: "An act to amend Section 1622, Revised Codes of Montana, 1935, as amended by Chapter 102, Session Laws of 1947, relating to powers and duties of county commissioners respecting highways; employment of road builder; employment of county surveyor as road builder; authorizing county commissioners, in their discretion, to employ road engineer in certain counties and fix his compensation therefor." .....	450, 486, 569
99	Introduced by Lehrkind, Busch and McQuitty: A bill for an act entitled: "An act to repeal Sections 4056, 4057, 4058, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077 and 4078 of the Revised Codes of Montana, 1935, and to enact in lieu thereof and hereby a revised act to define real estate brokers and real estate salesmen and to provide for the regulation, supervision and licensing thereof, creating the office of real estate commissioner and a real estate board; providing a penalty for the violation of the provisions hereof and to provide a fund for the administration of this act and for other purposes." .....	450, 484, 548, 557, 562

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100	Introduced by Wenger: A bill for an act entitled: "An act to amend Section 2038, Revised Codes of Montana, 1935, as amended by Chapter 14, Session Laws of 1943, relating to traveling expenses of county assessor and deputies." .....	452, 486, 543, 556, 566, 576
101	Introduced by Phillips: A bill for an act entitled: "An act to amend Chapter 214 of the Session Laws of 1947, relating to the manner of commitment of girls to the State Vocational School for Girls and relating to the payment of the costs of their maintenance in said school." .....	488, 524
102	Introduced by Phillips: A bill for an act entitled: "An act to amend Section 7, Chapter 182, Session Laws of 1943, relating to the admission of non-resident children to the Montana State School for the Deaf and Blind." .....	398, 488, 524
103	Introduced by Manning: A bill for an act entitled: "An act to establish a foundation program of elementary and high school education and to equalize the distribution of funds to support said foundation program; creating a State Public School Equalization Fund and providing for the administration thereof; providing for the raising of revenues by school district and county taxes for support of the schools and for payments by the state in support of such schools within prescribed limits; providing for applications for approval as isolated schools and for action thereon by the County Budget Board, County Superintendent of Schools and State Superintendent of Public Instruction; providing restrictions upon the amount of expenditures in school budgets; providing the method of distribution and apportionment of school funds; providing for elections to vote upon extra levies; providing for reports by the State Board of Equalization; amending Sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1019.9, 1019.19, 1219, 1263.3, 1263.5 as amended by Section 1, Chapter 280, Laws of 1947, and Section 1263.19, and repealing all acts and parts of acts in conflict with this act." .....	484, 489, 602
106	Introduced by Toman, James, Angstman and Larson: A bill for an act entitled: "An act relating to annual vacation leave for state, county and city employees, providing for computation, accumulation and compensation for such vacation leave, repealing all acts and parts of acts in conflict herewith, and providing an effective date." .....	450, 486, 568, 581, 602
107	Introduced by Committee on Compensation: A bill for an act entitled: "An act to authorize the Industrial Accident Board to accept whatever cash is on hand to apply on the payment of certain	

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	special improvement district bonds issued in certain special improvement districts in the following cities in Montana, to-wit: Billings, Havre, Eureka, Whitefish, Grass Range, Livingston and Laurel; and to charge off as worthless and, in the most part, uncollectible, the remainder of said bonds now held by the Industrial Accident Board for its investment account; and repeal all acts and parts of acts in conflict herewith." .....	451, 485, 561, 580, 589
110	Introduced by Valiton: A bill for an act entitled: "An act to amend Section 1 of Chapter 69 of the Session Laws of Montana, 1943, relating to the permission of state institutions producing surplus commodities to trade or exchange them for needed supplies under certain conditions; permitting the giving away of surplus production to other state institutions." .....	398, 488, 524, 542, 552, 567
111	Introduced by Worden: A bill for an act entitled: "An act to amend Section 3 of Chapter 188 of the Session Laws of Montana of 1937, relating to the procedure to secure the attendance of witnesses from without the state in criminal proceedings and providing for payment of witnesses summoned from without the state to testify in this state." .....	451, 543, 556, 566, 576
112	Introduced by Anderson and James: A bill for an act entitled: "An act to amend Section 8 of Chapter 199 of the Session Laws of Montana of 1943, relating to acts constituting crimes in the use of the highways and the operation of motor vehicles in the State of Montana; and repealing all acts and parts of acts in conflict herewith." .....	450, 486, 546, 552, 554, 567
114	Introduced by Doggett, Markle and James: A bill for an act entitled: "An act to amend Section 1, Chapter 152, Session Laws of 1941, Section 7, Chapter 152, Session Laws of 1941, as amended by Chapter 116, Session Laws of 1945, and Section 13, Chapter 152, Session Laws of 1941, as last amended in Chapter 169, Session Laws of 1947, relating to the transportation of public school pupils, and setting up a schedule for reimbursement for bus transportation." .....	484, 489, 602, 606, 608, 634, 660, 665, 674
115	Introduced by James and Anderson: A bill for an act entitled: "An act to amend Sections 2, 3 and 8 of Chapter 129 of the Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, relating to financial responsibility of motor	

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	vehicle owners; and repealing all acts and parts of acts in conflict herewith." .....	452, 485, 531, 554, 567
116	Introduced by Moss and James: A bill for an act entitled: "An act to amend Section 1202 of the Revised Codes of Montana of 1935, as amended by Chapter 273, Session Laws of the Thirtieth Legislative Assembly, relating to the levy for the support of common schools." .....	484, 488, 602, 661
120	Introduced by Liggett and Walsh: A bill for an act entitled: "An act to amend Section 6351, Revised Codes of Montana, 1935, relating to the powers of title insurance companies." .....	450, 486, 559
122	Introduced by Padbury: A bill for an act entitled: "An act designating the State Treasurer of the State of Montana as the fiscal agent of the state to receive from the United States, or any of its agencies, funds made available as grants to the state under any act of Congress, or otherwise, for any use or purpose; providing for deposit of such funds in state treasury, repealing all acts in conflict." .....	390, 485, 548, 557, 564, 576
126	Introduced by Ross: A bill for an act entitled: "An act to amend Section 8896, Revised Codes of Montana, 1935, relating to the manner of making a list of persons to serve as trial jurors; repealing all acts and parts of acts in conflict herewith, and providing when this act shall take effect." .....	451, 485, 569, 578, 592, 602
127	Introduced by James and Anderson: A bill for an act entitled: "An act to amend Section 9 of Chapter 199 of the State Highway Patrol Act of 1943, relating to penalties for the violation of the provisions of Section 8 or other provisions of the State Motor Vehicle Laws other than driving in a reckless manner or while under the influence of intoxicating liquor or any drug or narcotic." .....	451, 532, 552, 554
130	Introduced by Bovey: A bill for an act entitled: "An act to separate the State Law Library from the State Library of Montana and to establish the State Law Library of the State of Montana as a separate library under the control of a board of seven (7) trustees of which the Chief Justice, the Associate Justices, the Secretary of State and the State Auditor shall be the members; prescribing the powers and duties of said board; providing for the appointment of a librarian and assistant librarian; prescribing the duties of such librarians, including the duty of indexing the laws and resolutions of the Legislative Assembly and the duty of preparing the volume of the Session Laws at the termination of each succeeding session of the assembly, and providing for the administration of	

No.	TITLE OF BILL	Page
	the State Law Library and the use of books borrowed therefrom, and establishing the State Law Library Fund for the library and for the administration and functioning of the library, and for the compensation of the Librarian and Assistant Librarian, and for expenses of operation and continuing the Legislative Reference Bureau in the State Law Library, and repealing Sections 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556 as amended by Chapter 112, Session Laws of 1943; 1557, 1558, 1559, 1565, 1567, 1568, 1569 as amended by Chapter 38, Session Laws of 1939, Revised Codes of Montana, 1935." .....	463, 490, 549, 557, 563, 589
131	Introduced by Bovey: A bill for an act entitled: "An act to perpetuate the Historical Society of the State of Montana as a public department of the state, to establish it upon a more adequate foundation, provide for its administration by a board of trustees and prescribing the method of their selection and their tenure and providing for their powers and duties and to enlarge their functions; recognizing the interest of citizens in the purposes and activities of the society by establishing classes of membership therein and providing for participation by members in the affairs of the society; identifying the historical and miscellaneous library of the State of Montana; providing that such society shall have the custody and administration of the historical and miscellaneous library and that the same shall be the property of the state in the custody and under the control of the society for the benefit of the state and its citizens; authorizing the appointment of a Chief Librarian and assistants and fixing their compensation; authorizing the renewal of the preparation and the regular publication of historical notes, papers, narratives and writing under the title formerly used by the society or other title as may be determined by the board of trustees, and authorizing the receipt of subscriptions for such publications for members of the public; authorizing the acquisition of writings, military histories, including histories of military organizations of this state when in federal service, manuscripts and printed matter, public and private, and the collection of fossils, specimens of ores and minerals, paintings, statuary, military relics, sculpture, antiques, and objects of art and to provide suitable quarters for the society, the library and other properties in its custody in the capitol building until the completion of the Montana Veterans' and Pioneers' Memorial Building, and thereafter in said building; authorizing the society to accept gifts, devises and bequests as trustee of the state for the benefit and advantage of the society and in realization of its purposes, and for related purposes, and to repeal Sections 1547 through 1569, Revised Codes of Montana, 1935; and Chapter 38, Laws of Montana,	



No.	TITLE OF BILL	Page
	1939; Chapter 156, Laws of Montana, 1939; Chapter 112, Laws of Montana, 1943; and Chapter 172, Laws of Montana, 1943, and all acts and parts of acts in conflict herewith." .....	463, 490, 570, 581, 602
135	Introduced by Haynes: A bill for an act entitled: "An act to amend Section 9112, Revised Codes of Montana, 1935, relating to service of summons on certain corporations including national banking corporations who, through insolvency or lapse of charter, have ceased to do business in Montana; and repealing all acts and parts of acts in conflict herewith." .....	451, 486, 569, 578, 591, 602
139	Introduced by Anderson: A bill for an act entitled: "An act to amend Sections 3, 8, 9 and 10 of Chapter 142, Session Laws of 1945, relating to licensing of slot machines; defining the terms 'religious organizations,' 'fraternal organizations,' 'charitable organizations,' 'veterans' organizations,' and 'social clubs'; providing only bona fide members permitted to use slot machines; providing for suspension and revocation of licenses and hearing thereon and appeal from decision of board; providing for effective date of this act, and repealing all acts and parts of acts in conflict herewith." .....	484, 488, 603, 604, 607, 608, 609, 647, 661, 662, 665, 670

No.	TITLE OF BILL	Page
<b>SENATE JOINT MEMORIALS</b>		
1	Introduced by Committee on Mines and Mining: A Senate Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States of America and to the Honorable James E. Murray and Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and Wesley A. D'Ewart, Representatives in Congress from Montana, requesting consideration of the gold mining industry and the enactment of suitable legislation by the Congress to insure a substantial increase in the price of gold." .....	217, 218, 263, 497, 526, 555
2	Introduced by Phillips and Haight: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Public Roads Administration of the Federal Works Agency, petitioning that said administration exert its best offices to the end that the construction of the bridge on Federal Aid Route No. 16, across the Missouri River at or near power plant ferry may be expedited." .....	292, 316, 528, 539, 555
3	Introduced by Phillips: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States and to the Honorable James E. Murray and Zales N. Ecton, United States Senators from Montana, and to the Honorable Mike Mansfield and Wesley A. D'Ewart, Representatives in Congress from Montana, requesting that Congress continue and enhance its program of rehabilitation of the landless Indian in Montana." .....	314, 316, 358, 528, 539, 554
4	Introduced by Walsh, Doggett, Worden, Winters, Ross, Haynes, Angstman, Blair, Markle and Burke: A Joint Memorial entitled: "A Joint Memorial to the Secretary of Agriculture of the United States, wherein he has set the estimated consumption quota for sugar for 1949 at a figure that should promise a fair return to the sugar beet grower." .....	390, 487, 548, 557, 563
5	Introduced by Parriott, Phillips and Fewkes: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, United States Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, all of Washington, D. C., urging the immediate enactment of legislation to provide for a uniform divorce law throughout the United States." .....	451, 486, 559

No.	TITLE OF BILL	Page
6	Introduced by Tibbals, Aronson, Markle, Ross, Valiton and Fewkes: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Congress of the United States, United States Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, all of Washington, D. C., requesting the enactment of legislation, allowing for and directing the annual payment of grants by the United States government to the State of Montana for the use and benefit of the several counties of Montana in lieu of taxes on lands owned by the United States government in the State of Montana." .....	398, 488, 543, 557, 567, 576
7	Introduced by Aronson, Wilson (Toole), Manning, Angstman, Arnold, McQuitty, Ross, James, Balgord and Markle: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to Julius A. Krug, Secretary of the Interior, and Michael Straus, Commissioner of the Bureau of Reclamation, urging that after due consideration there be no agreement or understanding entered into which would delay the normal course of work in the construction of the Tiber dam on the Marias river in Montana and that construction thereon proceed as rapidly as possible." .....	390, 487, 553, 568, 571, 576
SENATE JOINT RESOLUTIONS		
1	Introduced by Committee on Employment: "A Joint Resolution declaring an emergency to exist up to and including March 3, 1949, and providing for the compensation and employment of additional help in addition to the employees enumerated in Section 62 of the Revised Codes of Montana for 1935 for the Senate during the Thirty-First Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana for 1935, and providing that such additional employment and said emergency shall cease not later than March 3, 1949." .....	94, 95, 122, 136
2	Introduced by Angstman and Ross: "A Joint Resolution of the Senate of the Thirty-First Legislative Assembly of the State of Montana, the House of Representatives concurring, ratifying proposed amendment to the Constitution of the United States relating to the terms of office of the President of the United States." .....	314, 315, 358, 370
3	Introduced by Committee on Water Conservation and Flood Control: "A Joint Resolution to the Governor of the State of Montana requesting the appointment of a commission to re-negotiate the Yellowstone river compact." .....	610, 619, 632, 642

# HOUSE JOURNAL

of the

## Thirty-first Legislative Assembly

of the

### State of Montana

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#### FIRST DAY

House of Representatives,  
Helena, Montana,  
January 3, 1949.

Pursuant to the Constitution of the State of Montana, at the hour 12:00 noon, the House of Representatives of the Thirty-First Legislative Assembly of the State of Montana was called to order by the Honorable Sam W. Mitchell, Secretary of State of the State of Montana.

The Secretary of State then made a short personal talk.

The Secretary of State then appointed Reverend E. O. Leavell of Helena, Temporary Chaplain; I. A. Haswell of Missoula, Temporary Sergeant-at-Arms; Dan J. Sullivan of Butte, Temporary Chief Clerk and Thelma Dineen of Helena, Temporary Journal Clerk.

Invocation by the Reverend E. O. Leavell.

The Chief Clerk called the roll and the members presented their certificates of election.

The Honorable Harrison J. Freebourn, Associate Justice of the Supreme Court of Montana, having been introduced by the Secretary of State, administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than compensation allowed by law, SO HELP ME GOD."

Thereupon, the following members, having presented their certificates of election subscribed to the foregoing oath:

Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark

(Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Graybill, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

The Secretary of State, having called for nominations for Speaker, Mr. Loble of Lewis & Clark nominated Leo C. Graybill of Cascade and Mr. Ory J. Armstrong of Flathead was nominated by Mr. Ralph C. Bricker of Cascade. And there being no further nominations for Speaker, the Secretary of State declared the nominations closed.

The following votes were cast for Mr. Graybill:

Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Goodgame, Gunderson, Hall, Harken, Harlow, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Mernin, Michels, Nixon, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin).

The following votes were cast for Mr. Armstrong:

Anderson (Phillips), Blenkner, Brenner, Bricker, Corcoran, Dokken, Duppler, Esp, Frerich, Ganson, Gebhardt, Graybill, Harpster, Hawks, Haytin, Hoiness, Hunter, Krieg, McElwain, Martin, Mulroney, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Wiedman, Wilson (Treasure), Working.

Moved by Loble that the Chief Clerk be instructed to cast fifty-four votes for Graybill for Speaker and thirty-six for Armstrong for Speaker. Carried.

The Secretary of State appointed Mr. Henry Loble of Lewis and Clark and Mr. Ory J. Armstrong of Flathead to escort the Speaker to the Chair. The Speaker was introduced by the Secretary of State and he then assumed the Chair.

The Speaker then introduced the lady member of the House of Representatives, Mrs. June McCarthy of Silver Bow.

Moved by Loble that the rules, joint rules and order of business of the Thirtieth Legislative Assembly be adopted as the rules, joint rules, and order of business of the Thirty-first Legislative Assembly, subject to future action by this Body.

Mr. Speaker: I move that the following Democratic nominees be elected as officers and attaches of the House of the Thirty-first Legislative Assembly: Speaker Pro-Tem, N. A. Peterson; Majority Floor Leader, Henry Loble; Chaplain, Reverend E. O. Leavell; Sergeant-at-Arms, I. A. Haswell; First Assistant Sergeant-at-Arms, Jack McCarthy; Second Assistant Sergeant-at-Arms, W. A. Leo; Chief Clerk, Dan J. Sullivan; Assistant Chief Clerk, Adair McCarthy; Journal Clerk, Thelma Dineen. Motion carried.

Mr. Speaker: I move that the following Republican nominees be elected officers of the House of the Thirty-first Legislative Assembly: Speaker Pro-Tem, John Oliver; Floor Leader, Ralph C. Bricker; Sergeant-at-Arms, E. J. Mo; Assistant Sergeant-at-Arms, E. N. Joffray; Chief Clerk, Lewis R. Knox;



Journal Clerk, Miss Wilder Porter; Chaplain, Reverend Edward A. Smith. Bricker.

It was moved by Loble, that the Chief Clerk be instructed to cast 54 votes for the Democratic nominees and 36 votes for the Republican nominees. Carried. Vote was so cast and the Speaker declared the Democratic officers and attaches elected.

Moved by Loble, that a committee of three members be appointed to notify His Excellency the Governor, that the House is now organized and ready to receive any message he wishes to convey, and also to ascertain the time set for the message.

The Speaker appointed Ballard of Silver Bow, Hall of Park and Oliver of Carter as the committee to notify the Governor.

It was moved by Loble, that a committee of three members be appointed to notify the Honorable Senate that the House is organized and ready for business. The Speaker appointed Beck of McCone, Domke of Cascade and Scofield of Powder River.

The Chair requested that committee preferences and also occupations (even those from which members have retired) be turned in so that committee appointments may be made.

It was moved by Loble, that the Speaker be authorized to select a Secretary to assist him in the duties of his office.

It was moved by Loble, that the Committee on Employment be authorized to place a Clerk at the disposal of each, the Majority and Minority Floor Leaders, to assist him in his work.

Moved by Loble, that the House recess until 3:00 P.M.

House recessed.

House resumed.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequest day introduce the following:

By Committee on Employment: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-first Legislative Assembly of the State of Montana."

Mr. Bricker and Mr. Armstrong escorted a committee from the Senate who informed the House that the Senate was organized and ready to transact any and all business that may regularly come before it. The committee from the Senate expressed congratulations for success and brought the best wishes from the Senate to the House. Committee excused.

The committee appointed to notify the Senate that the House was organized reported that the message had been conveyed. Committee discharged.

The committee appointed to notify the Governor that the House was organized and ready for business, reported that His Excellency was pleased and would deliver his message to the Joint Session of the House and Senate at 7:30 P.M. Wednesday January 5, 1949. Committee discharged.

Moved by Bricker that the Speaker and Majority Floor Leader be made ex-officio members of all committees. Motion seconded and carried.

The following committees were named by the Speaker:

Committee on Rules, Joint Rules and Order of Business: Loble, Chairman; Bricker, Vice-Chairman; Peterson, Armstrong, Mr. Speaker.

Committee on Employment: Hess, Chairman; Hall, Vice-Chairman; Duncan, Peterson, Gebhardt.

Committee on Seating: Nixon, Chairman; Ballard, Vice-Chairman; Bricker.

It was moved by Loble, that the House adjourn until 11:00 A.M., Tuesday, January 4, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## SECOND DAY

House of Representatives,  
Helena, Montana,  
January 4, 1949.

House convened, pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except Karlberg excused.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the separation of the Bureau of Labor and Industry from the Bureau of Agriculture." Anderson (Phillips), Armstrong, Blenkner and Scofield.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the following be employed:

### STENOGRAPHERS

Marjorie Cahill  
Mrs. Lois Poepping  
Pearl F. Witt

Catherine Coleman  
Margaret Taylor  
Catherine DuBois

### TELEPHONE OPERATORS

Neva E. Brooks

Louise B. Fulbright

### PROOF READER

Gertrude Kennard

### POSTAL CLERK AT CAPITOL STATION

Alice Woods

### PAGES

Charles Hickman

Kimmie Winters

## DOOR KEEPERS

C. Edson Smith  
C. C. Parker

George W. Smith  
Oscar Sedahl

## HEAD JANITOR

Paul C. Maxwell

HESS, Chairman.

Report adopted.

Loble moved that the Committee on Appropriations and the Committee on Revenue and Taxation be increased from fifteen (15) to seventeen (17) members. Seconded and carried.

## INTRODUCTION OF BILLS

The following measure was introduced, read first and second time and referred to Committee on Employment.

H. B. 1 — Introduced by Committee on Employment: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-first Legislative Assembly of the State of Montana." Referred to Employment Committee.

Loble moved that the House recess for ten minutes.

Recessed.

Reconvened.

We, your Committee on Employment, having had under consideration House Bill No. 1, a bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-first Legislative Assembly of the State of Montana, recommend:

That same do pass.

HESS, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

It was moved by Loble that H. B. No. 1 be considered correctly printed and placed on General Orders. Motion carried.

## CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders. Carried.

Mr. Speaker appointed Loble to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration House Bill No. 1, recommend: same do pass. Carried.

LOBLE, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

It was moved by Loble, that House Bill No. 1 be considered correctly engrossed and placed on Third Reading.

## THIRD READING

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 1 having been read three several times, title and history agreed to, was passed by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Graybill, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

Ayes: Total 89.

Excused: Karlberg.

Noes: None.

Mr. Speaker: House Bill No. 1 has passed the House.

Moved by Loble, that the House adjourn until 11 A. M., Wednesday, January 5, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## THIRD DAY

House of Representatives,  
Helena, Montana,  
January 5, 1949.

House convened, pursuant to adjournment, at 11:00 A. M.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except the following excused: Brenner, Esp and Karlberg.

The following committees were appointed by the Speaker.

Committee on Journal: Holtz of Cascade, Chairman; Koch of Ravalli, Vice-Chairman; Mulrone of Missoula.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the First Legislative Day and find the same correct.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Second Legislative Day and find the same correct.

HOLTZ, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

A bill for an act entitled: "An act to amend Sections 2912, 2913, 2914, 2915 and 2920, Revised Codes of Montana, 1935, as amended by the Thirtieth Legislative Assembly of the State of Montana, relating to compensation for injuries to workmen, by increasing compensation in cases of: Temporary, total, and total partial disabilities, for injuries causing death, and for specified injuries." — John Emmons.

A bill for an act entitled: "An act to amend Section 6777 of the Revised Codes of Montana, 1935, relating to monuments and fences between co-terminous owners of real estate; and repealing all acts and parts of acts in conflict herewith." — McElwain.

A bill for an act entitled: "Bribery of participants in professional or amateur games, sports, contests and horse racing." — Foley.

A bill for an act entitled: "An act providing for the repeal of Sections 2430, 2431, 2432, and 2433, of the Revised Codes of Montana, 1935, which said sections relate to the regulation of the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts, or premiums, such as crockery, chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for, or with or in connection with the sale of goods, wares, or merchandise, and providing a penalty for the violation thereof." — McCarthy, Loble, McKenna, Blenkner, Hoiness, McElwain, Dwyer, Ballard, Loughran, Tierney, Armstrong, Domke and Dokken.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend the following be employed:

## JUDICIARY

Helen B. McDermott

## ASSISTANT JOURNAL CLERK

Louise Carolyn Miller

## LAW CLERK

Clarence Hanley

Willis M. McKeon, Assistant

## PRINTING CLERK

Bruce Toy

## ENROLLING CLERK

Agnes Louise Cline

## SUPPLY CLERK

Mrs. Jo Theile

## STENOGRAPHERS

Eleanor A. Chandler

Mary Lou Dineen

Melba Gibbs

## TYPISTS

Ruby G. Albright  
Ellen Wiedman

Janet Marie Kercher  
Jean F. Fallan



## PROOF READERS

Rose C. Bresnahan  
Mamie M. Reinig

Rebecca Rose  
Isaac Hellebust  
Charlotte E. Lane

## DOOR KEEPER

Fred Tintinger

Clyde C. Bowers

## CHECK ROOM DOOR

Warren Eugene Corcoran

## NIGHT WATCHMAN

Robert J. Holloway

## JANITOR

Norman Chalmers

## ASST. JANITOR

Thomas Anthony Clinch

Report adopted.

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

HESS, Chairman.

## JANITOR

William Courtney

## STENOGRAPHERS

Catherine L. Hatton  
Rose K. Machler

Dorothy M. Schwendler  
Mabel H. Lundin

## BILL CLERKS

Edna B. Gilles,  
Chief Bill Clerk  
Leo Ray Landon

Louis Allen Donohue,  
Assistant Bill Clerk  
Clare H. Murfitt

Madge Dugan O'Connor

## ENGROSSING CLERK

Mary A. Robinson

Alyce B. Helland,  
Assistant Engrossing Clerk

## PROOF READERS

Mada Ruth Michael Carbis  
Carrie B. Hardgrove  
Mrs. Roy N. Scow

Lyman E. Morel  
Mrs. Harold Milot  
Maude Brasier

## TYPISTS

Adelma C. Wisland

Margaret W. Haag

Report adopted.

Moved by Hess that the name of Louise Carolyn Miller be segregated from Employment Committee report. Carried.

Moved by Hess that the report of the Committee on Employment be adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble that the messages from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS

By unanimous consent of the House, the following bill was introduced, read first time by title and second time at length, and referred to Committee on Appropriations:

House Bill No. 2, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of mileage and per diem to the members of the Thirty-first Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Thirty-first Legislative Assembly of the State of Montana."

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows:

That House Bill No. 2 do pass.

DUNCAN, Chairman.

Report adopted.

Moved by Loble, that the House recess for the call of the Chair. Carried.

House resumed.

## REPORTS OF STANDING COMMITTEES

Moved by Loble that House Bill No. 2 be considered correctly printed and placed on General Orders. Carried.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Bricker to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 2 do pass.

BRICKER, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 2 be considered correctly engrossed and placed on Third Reading. Carried.

House Bill No. 2 having been read three several times at length, title and history agreed to, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 86.

Noes: None.

Absent and not voting: Brenner, Esp, Jensen, Karlberg.

Moved by Loble that a select committee of five be appointed to draw up suitable motions and memorials on deceased members of the House of Representatives. Carried.

Moved by Loble that the mailing list of each member be limited to not more than five (5) and that the Mailing Clerk be advised of same. Carried.

Loble asked that the various delegations try to consolidate their mailing lists so that there will not be duplications going to individuals or corporations. Carried.

### NOTICES

Moved by Loble that the House recess until the call of the Chsir. Carried.  
House resumed.

### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and the same is herewith returned to the House:

House Bill No. 1—

Employment Committee.

Respectfully,

CLAUDE J. McALLISTER.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of Whole for consideration of General Orders.

Mr. Speaker appointed Bricker of Cascade to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate Amendments to House Bill No. 1, recommend:

That same be concurred in.

BRICKER, Chairman.

Report adopted.

Moved by Loble that the Senate Amendments to House Bill No. 1 be placed on Third Reading. Carried.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length.

House Bill No. 1 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbert-

son, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Graybill, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

Ayes: Total, 86.

Absent and not voting: Total, 4.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce a bill entitled:

By Hunter and Haytin: A bill for an act entitled: "An act to provide for cancelling and refunding income taxes paid by veterans of World War II from Montana under the provisions of Sections 2295.1 through Section 2295.34, Revised Codes of Montana, 1935, on money received from United States Government and making an appropriation therefore and repealing all acts and parts of acts in conflict therewith, and providing that this act shall be valid notwithstanding any provision of the budget act."

The Chairman reported the following committee appointments:

Committee on Banks and Banking: Hall, Chairman; Page (Granite), Vice Chairman; Clark (Silver Bow), Wilson (Judith Basin), Howard, Ballard, Westlake, Domke, Laas, Krieg, Hunter, Oliver, Standish, Anderson (Phillips), Skibby.

Committee on Labor: Holding, Chairman; Dusak, Vice Chairman; Jensen, Smith, Gunderson, Goodgame, Trout, Foley, Burns, Culbertson, Wiedman, Taber, Martin, Pierce, Rostad.

Committee on Mines and Mining: Loughran, Chairman; Ewing, Vice Chairman; Duncan, Clark (Musselshell), Jarussi, Jensen, Smith, Page (Granite), Foley, Bricker, Hunter, Martin, McElwain, Working, Brenner.

Committee on Workmen's Compensation: Emmons, Chairman; Trout, Vice Chairman; Mernin, Cunningham, Dwyer, Tripp, Tierney, Dusak, Burns, Clark (Musselshell), Oliver, Gebhardt, Armstrong, Taylor, Haytin.

Committee on Education: Harlow, Chairman; Foley, Vice Chairman; Barnard, Tripp, Jarussi, Andersen (Richland), Robertson, Holtz, Anderson (Hill), Blenkner, Krieg, Working, Harpster, Dokken, Ganson.

Committee on Revenue and Taxation: Domke, Chairman; McKenna, Vice Chairman; Ballard, Mernin, Beck, Emmons, Barnard, Harlow, Culbertson, Michels, Scofield, Esp, Armstrong, Standish, Corcoran, Hoiness, Haytin.

Committee on Liquor Control: Tierney, Chairman; Hall, Vice Chairman; Page (Granite), Smith, McCarthy, Aronow, Dusak, O'Neil, Laas, Blenkner, Scofield, Esp, Hunter, Gebhardt, Corcoran.

Committee on Judiciary: Harken, Chairman; McKenna, Vice Chairman; Domke, Duncan, Dwyer, Aronow, Tripp, Koch, Loble, Blenkner, Wiedman, Hoiness, Mulroney, McElwain and Dokken.

Committee on Mileage and Per Diem: Westlake, Chairman; Cunningham, Vice Chairman; Howard, Working and Brenner.

Committee on Printing: O'Neil, Chairman; Beck, Vice Chairman; Anderson (Hill), Dokken, Ganson.

Committee on Engrossing: Van Dyke, Chairman; Taber, Vice Chairman; Emmons, Howard and Rostad.

Committee on Enrolling: Wiedman, Chairman; Holding, Vice Chairman; Burns, Clark (Silver Bow), Phillips.

Moved by Loble, duly seconded and carried, that the House recess until 7 P. M., this date.

House resumed. All members declared present.

A delegation from the Senate informed the House that the Senate was ready to meet in Joint Session.

The Honorable Senate entered.

The President of the Senate in the Chair, the Joint Session was called to order.

The Secretary of the Senate called the roll of the Senate.

A quorum of both Houses being present, the Joint Session convened. The Governor was informed that the Senate and the House of Representatives were convened in Joint Assembly and were ready to hear his message.

The President of the Senate thereupon appointed Senator Moss of Flathead, Senator Wilson of Toole, and Representatives Bricker of Cascade, Loble of Lewis and Clerk, and Loughran of Silver Bow, as a committee to escort His Excellency, The Governor, to the rostrum.

His Excellency, Governor John W. Bonner, then appeared, and, upon being escorted to the rostrum, was introduced by the President of the Senate and delivered the following message:

Mr. President, Mr. Speaker and Members of the Thirty-first Legislative Assembly:

I can find no language within my vocabulary to adequately express my gratitude to the people of Montana who have so signally honored me. Upon assuming office as your Governor I am not unmindful of the great responsibility of my position and right here and now I desire to thank you from the very bottom of my heart for the confidence reposed in me.

On Monday, the Chief Justice of this great State did, in the presence of a convocation of friends, administer to me my oath of office. I desire to give you the positive assurance that I shall not regard indifferently the sacredness of that oath.

With the present deplorable world conditions threatening to stamp out every essence of democracy and with our own perplexing governmental problems which call for straightforward action and thinking—now, more than ever, each public official and employee must realize his position as one of trust—the violation of which may well be a contributing cause to the weakening of our cherished democratic form of government.

I pledge anew my love and loyalty to my native State and pledge to her unselfish service. Born and reared on Montana soil, educated and trained in her educational institutions, honored beyond measure by her people, I am ready to give my very best to her upbuilding.

For nearly two centuries, the territory comprising Montana has been a vital factor in the political affairs of men. During this era, at least, three countries have endeavored to manifest their sovereignty over her. Woven into her thrilling history of war and peace has been exploration, the hardy endeavors of our pioneers, romance and heroism.

Today we are here assembled for the thirty-first time in the history of our State, as a new legislative administration is being mobilized for service.



As members of this legislature, I know the spirit with which you enter upon your duties. You are all imbued with the great desire to perform a useful service for the people of Montana and upon this foundation, democracy rests. Government must be responsive to the wishes of its citizens. In order to attain a real democratic government, we all must have a keen understanding of the lessons of experience, a broad vision of the future, a thorough appreciation of the factors which determine Montana's economic welfare and last, but not least, an attitude of unselfishness.

I know the people of Montana. Recently I have met them face to face all over this great State of ours. No one can travel this great State and meet its people without experiencing the thrill and throb of the growing pulse of the people for a fine, high type of civilization which permits no dishonesty in private thinking, no camouflage in social life and no double dealing in public service.

We, as Montana's elected servants, have the duty to direct the destinies, to make and administer the laws, to lift high the ideals, to protect the weak and curb the greed of the strong, to perpetuate the liberty, to guarantee the industrial freedom of over half a million people.

It is a challenge that comes but once in a lifetime and I know that we all are more than willing to accept that challenge by doing our very best for the interests of all our people.

Only a part of the men and women of Montana elected me Governor — yet, as I took the oath of office Monday, I stepped beyond the narrow and selfish confines of partisan politics, and became the Governor for every man, woman and child who lives within the boundaries of Montana. And so it is with you, as representatives of the people. The future is before us. No prejudice should thwart our purpose — no bias should encumber our judgment and no personalities should becloud our vision or hamper our endeavors. Petty political bickerings should not exhaust our energies which are now so sorely needed for the welfare of our people.

We are not here to build political fences or to construct political machines. Personally, I shall call around me to fill positions those in whom I have confidence and I shall remove from office, without fear, or one single thought of the future, any or all of them if I find that they do not live up to my expectations.

Conforming to our Constitution, I will now proceed to give you information concerning the condition of our State, recommendations for the enactment by you of such measures as I deem expedient, and my estimates of the amount of money required to be raised by taxation for all purposes in the State.

### FINANCES

Our State Auditor has informed me that on December 1, 1948, we had a balance of \$8,993,592.89 in the General Fund and our State Accountant has informed me that our actual income for the fiscal year 1947-1948, as compared to the estimated income for the same period, is as follows:

Income Source	Amount of Income	Amount of Estimate	Increase
Beer Act .....	\$ 782,769.06	\$ 550,000.00	\$ 232,769.06
Trade Stimulator .....	691,820.02	500,000.00	191,820.02
Cigarette License .....	1,292,228.87	850,000.00	442,228.87
Photographer's License .....	306.00	70.00	236.00
Slot Machines .....	250,815.96	70,000.00	180,815.96
Other Income .....	12,430,899.20	8,001,249.00	4,429,650.20

The State Accountant has also informed me that our present income far exceeds our unexpended appropriations.

It is common knowledge that present salaries paid to city, county and state officials and employees are generally inadequate when we take the cost of living into consideration and salaries paid to others for the same type of work and responsibility. I therefore recommend that you do everything possible to rectify this situation.

If our income is carefully expended, I am convinced that, save for highways, our present revenues will adequately provide for the proper function of State affairs, without additional new taxes, except in cases where commodities are not now taxed and which are akin to those commodities now subject to taxation.

We have duplications of duties in our State Government. I recommend that a committee be appointed to study the duplication which exists in our State Government and that you pass appropriate legislation, during this Session, eliminating such duplications, which will result in a saving to the taxpayers of this State.

Unless we call a halt to duplication of duties and practice economy wherever possible, it is obvious that we cannot live within our income, no matter what new taxes are imposed upon our citizens. If you see fit to increase the expenses of State Government, you should also consider the source of revenue or taxation to take care of these expenses.

Montana's tax laws have not been revised since 1921. It is my belief that the State's whole tax structure should be carefully reappraised, and I therefore further recommend that you set up a Commission with the necessary finances, to study Montana's tax structure and report its findings to the next Legislature.

## PUBLIC SCHOOLS

Everyone is conversant with the fact that we are faced with a serious problem concerning our public school system. It is needless to say that all the children of this State, whether they reside in rural areas or in towns or cities, are entitled to equal educational opportunities, but such a condition does not exist.

Many of our districts do not have the same financial means as other districts and, because of such inequalities, our public school system is not what it should be. It is my opinion that we should have superior public schools from kindergarten through college. This we do not have and it is therefore obvious that we must inaugurate a new system of financing and effect a new system of organization if we are to have the type of school system we desire in this State and to which our children are entitled.

It would appear that the inequalities of taxation concerning our schools may be removed by an adequate contribution from a State level which would insure equalities of educational opportunities for any child, regardless of where he lives, in Montana.

Contributions from a State level could well be in the nature of non-real property taxes which would, in effect, constitute replacement taxes in that they would tend to reduce and eliminate further taxes on real property for school purposes.

Numerous revenue proposals have been advocated in order to solve our present educational problem and such proposals, in my opinion, must be considered in light of the entire financial condition and obligations of the State. Additional sources of revenue will, of course, depend on all financial measures considered and passed by you, in this Session, for the State as a whole. For this reason, I am not, at this time, making specific recommendations as to sources of revenue for the solution of our school problem because, at the present time, it appears that this is a matter wholly within your good judgment and discretion.

Our school problem should be solved during this Legislature and I therefore recommend that you give the closest scrutiny to the recommendations of the Montana Citizens Committee on Education and the recommendations of any other committee whose objective is to better the public school system of this State.

### TEACHERS' RETIREMENT ACT

The Montana Teachers' Retirement Act has been of great value to our retired teachers and our educational system. The provisions of this act are far from perfect and may be improved. I therefore recommend that you carefully consider this act with the view of liberalizing it in light of the changing employment conditions since its enactment. I know we all agree that we must continue to do everything possible to attract worthy persons to the teaching profession in order to maintain a high standard of education. I therefore recommend that you seriously consider any legislative program presented to you for the betterment of our Teachers Retirement Act.

### HOUSING

It is common knowledge that we have a serious housing condition existing in Montana and I recommend that you memorialize Congress to pass legislation which will provide means with which our citizens may procure reasonable and adequate housing facilities at the earliest possible moment.

### PUBLIC WELFARE

We all recognize that it is our duty to adequately care for the needy-aged, the blind and neglected and dependent children so that they may live in decency. It is obvious to everyone of us that the increasing living costs have far offset increased payments, and I therefore recommend that you carefully examine the situation affecting these worthy beneficiaries of State assistance and enact appropriate legislation which will substantially increase their monthly allowances. At the present time their allowances are far from adequate and therefore should be given special attention.

### HOME FOR THE AGED

One of the most serious problems confronting Montana today is that of caring for the needy-aged persons who are not insane, by providing a home for them in order that they be adequately cared for. This is a matter that should not be delayed and I earnestly urge that you provide a home for the needy-aged, separate and distinct from our State Hospital, so that these unfortunate persons will not be committed to Warm Springs, as is now the case in many instances.

### STATE HOSPITAL

Another serious problem confronting the people of Montana is that of making our State Hospital a fit place for the unfortunates who are committed there. I know we all feel a deep responsibility for our mentally-ill fellow-citizens. We must see to it that these patients receive the best of medical care, that they are well-housed, receive just treatment and have a high standard of living. I therefore ask that you give special consideration to this problem and make adequate appropriations to meet the objectives which I have just enumerated. From my information, with the completion of the present building program, the patients will be adequately housed and special attention should now be given to appropriations for the food and other requirements necessary to meet a high standard of living — medical care and adequate and efficient personnel.

### WORKMEN'S COMPENSATION

In light of the high cost of living, I recommend most earnestly that the weekly payments made under our Workmen's Compensation Law be

increased substantially because payments now made are inadequate. In order to bring about more justice in the administration of the Workmen's Compensation Law, I also recommend that the waiting period for a single person be reduced to one week, as is the case with a married person.

Furthermore, I recommend that in case of an injury causing death, that the beneficiary be paid for 500 weeks, as is the case with those who sustain permanent disability and I also recommend a twenty-five per cent increase in the number of weeks for specific injury.

#### LABOR DEPARTMENT

Labor in this State is entitled not only to official recognition but to a separate department in our State government in order that there be an efficient administration of our labor laws. In order to establish this vital and worthy department, it is necessary that you pass appropriate legislation so that a Constitutional amendment, providing for a Labor Department, be submitted to the voters at the 1950 election. I recommend that such legislation be passed by you at this Session.

#### UNEMPLOYMENT COMPENSATION

Because of the present high cost of living and in order to further aid those who are unfortunate enough to be unemployed, I recommend that our Unemployment Compensation Laws be amended to provide for a substantial increase in the maximum weekly benefits, dependents' allowances, a longer uniform potential duration and a reduction of the waiting period to one week.

From my information, these beneficial changes may be accomplished without a change in the contribution rate.

In legislation affecting the provisions of our Unemployment Compensation Laws, it is my opinion that we should, at all times, be certain to protect and maintain an adequate reserve in our Unemployment Fund in the event of a period of economic stress which might arise in the future.

#### CONSTRUCTION OF INDIAN HOSPITAL FOR TUBERCULAR INDIANS

By virtue of Public Law 332, 80th Congress, there was appropriated by the United States, the sum of \$750,000.00 for the purpose of co-operating with the State of Montana for the construction, extension and improvement of a Tubercular Sanitarium at Galen, Powell County, Montana, for tubercular Indians. The original appropriation was for \$1,500,000 and Hon. James E. Murray, United States Senator from Montana, as well as Hon. Mike Mansfield, Congressman from the Western District of the State of Montana, have both expressed their opinions that the next Congress will appropriate the additional \$750,000.00 for this purpose. In order to avail ourselves of this appropriation, the State of Montana must provide additional funds to complete the construction, extension and improvement, including regulation equipment of the said hospital. From my investigation, I am convinced that it is necessary we do everything possible in order to construct the hospital for the benefit of our tubercular Indians and I therefore seriously recommend that a contingent appropriation be made, at the earliest possible moment, which will be effective upon Congress appropriating the remaining \$750,000.00 as I have heretofore related.

Personally, from my investigation, I believe that in order to comply with the Congressional appropriation that our contingent appropriation need not exceed \$700,000.00.

#### VETERANS

As we all know, the veteran and his dependents do not want something for nothing, but simply a chance to make a decent living and establish them-



selves in their respective communities. In order to accomplish this, worthy legislation concerning them should always be carefully considered. In order to help the veterans and their dependents to accomplish the objectives I have heretofore enumerated, I recommend that legislation be enacted giving non-disabled veterans a credit of at least 5% and a disabled veteran a credit of at least 10% on all examinations required before employment by the State. And I further recommend that such legislation also give such credits to their dependents in such examinations. Again, in order to help insure the education of children of veterans killed in action or who died of disease during World War II, I recommend that legislation be passed giving those children free tuition at any of our Montana public educational institutions.

I also recommend that you memorialize Congress to pass the Veterans Economic Development Act as embodied in H.R. 521 and S. 1652 in the 80th Congress. This act proposes to set up a five million-dollar backlog from which loans may be made to develop and create new industries. The act would operate in the same manner as does the Home Owners Loan Corporation and other like Federal Agencies which have been entirely self-supporting. This legislation would help both veteran and non-veteran and bring new business to Montana.

I also recommend that you give serious consideration to appropriations asked for by the Veterans' Welfare Commission.

The foregoing constitute matters which I deem essential at this time in order to help the veterans and their dependents and, undoubtedly, many other worthy measures will be presented to you by the veterans and their dependents for your consideration and I know you will give these proposed measures your utmost attention.

#### PIONEER-VETERANS MEMORIAL BUILDING

Though \$400,000.00 has heretofore been appropriated, from my investigation it is my opinion that \$350,000.00 more must be appropriated in order to construct the Pioneer-Veterans Memorial Building. This is due to increased building costs since the last appropriation and because an additional room is needed for the reason that I will now give. At the present time, a committee is working with the view of procuring a great number of paintings by Charles M. Russell for the State of Montana. These paintings, in order to be adequately kept, must be placed in a room with favorable atmospheric conditions. In my opinion, the plans for the Pioneer-Veterans Memorial Building should be altered in order to provide for such a room. The appropriation I have just mentioned includes the cost of this room. The appropriation will not entail new taxes because ample money for the construction of this building, so I am advised, is already in the Capitol Building Fund and the Veterans Memorial Fund.

I recommend that these appropriations be made so that the Pioneer and Veterans Memorial Building may be constructed without further delay.

#### HIGHWAYS

We have reached a crisis, as far as our highway situation is concerned, in Montana. In my opinion, something must be done by this Legislature if we are to save what highways we have and to have an adequate program of highway construction in this State. I think it is obvious to all that the people of Montana want action now on our highway program.

Since this last General Election, I have obtained from our State Highway Commission the statement of our financial situation and what is going to be necessary in order that we can take advantage of Federal funds already available. Our present highway financial situation, as given me by the Highway Commission, is as follows:



Work Remaining to Contract	State	Federal	Total
1944 Federal Act.....	5,720,000	\$ 8,580,000	\$14,300,000
Work Remaining to Contract			
1948 Federal Act.....	9,000,000	14,000,000	23,000,000
Total .....	\$14,720,000	\$22,580,000	\$37,300,000
Deduct State Funds Available In- cluding Debentures .....	5,720,000		
Additional State money required in order to match available Federal funds under 1944 and 1948 Federal Acts.....	\$ 9,000,000		

The additional nine millions of dollars of State money which is required to match the present available Federal funds, as heretofore shown, over and above that of all State funds available including the debentures which will be sold, would undoubtedly provide a real aggressive program of highway construction for approximately three years. This means, of course, that we must provide revenue, during this Session of the Legislature, which will provide three millions of dollars a year because it is reasonable to assume that Federal funds, in the same proportion, will continue in future years. From my investigation, it is my conclusion that we need this type of program in the amounts just stated if we are to have the type of highway construction and maintenance to which this State is entitled.

There are, in my opinion, at least six equitable methods by which additional revenue may be obtained. These are:

- (1) Increased gasoline tax.
- (2) Increased tax on diesel fuel.
- (3) Imposition of a tax in proportion to the gasoline tax on propane, butane and all other fuels excepting gasoline by rating of pounds per horsepower hour, used for propelling vehicles of any kind upon the highway.
- (4) An annual tax on trucks determined by tonnage.
- (5) An annual tonnage tax on trailers and semi-trailers.
- (6) A caravan law providing that a fee be paid on each vehicle transported for hire on our highways which fees would go to the building and maintenance of our highways.

I do not believe that any further tax or license should be placed on private passenger vehicles for the obvious reason that a further tax or license on such vehicles would be inequitable.

The people of Montana know that revenue must be raised for the maintenance and construction of our highways and I again seriously recommend that you find ways and means, during this Session, to obtain revenue which will insure a real program of highway maintenance and construction for Montana.

Delay in solving this problem will avail us nothing but, on the contrary, will lead, in my opinion, to a substantial loss of the millions of dollars which we have already invested in our roads. Not only this, but the lack of a real highway program will inconvenience our own residents and will substantially diminish the revenues which Montana each year receives from its tourists. In considering our highway situation, I also earnestly call to your attention the feasibility of working out a program for farm-to-market roads which is essential to the farmers and ranchers of this State.

## STATE HIGHWAY PATROL

Our State Highway Patrol is a very efficient organization. It is composed of high-caliber men and is a credit to this State. However, the salaries paid these patrolmen are grossly inadequate and I recommend that you seriously consider appropriations which will insure them salaries commensurate with the fine service they render to this State.

## MUNICIPALITIES AND COUNTIES

Streets and roads in many of our municipalities and counties are fast deteriorating because of inadequate funds and I therefore recommend that you seriously consider any legislation which will aid such towns, cities and counties in providing better streets and roads.

## RURAL ELECTRIFICATION

We are progressing well with Rural Electrification in Montana and I am sure you will agree with me that we should continue to do everything possible with the view of extending Rural Electrification, wherever we can, to every farm and ranch in Montana.

## APPRENTICESHIP COUNCIL

I heartily endorse the work of the Montana State Apprenticeship Council in conjunction with the Federal Bureau of Apprenticeship. The work of these agencies is of primary interest and importance to industry, including management and labor. At the present, more than 1,200 apprentices in Montana are registered under apprenticeship programs developed jointly by the State Apprenticeship Council and the Federal agency with management and labor in over 50 apprenticeable trades. Approximately 85% of these apprentices are veterans of World War II, learning the skills of their chosen trades, thus equipping them with the knowledge for future journeymanship resulting in security for themselves; providing skilled workers to employers; and the public benefiting by having skilled craftsmen performing their work. Because of the most worthwhile work being performed by these agencies, I request the Legislature again to provide adequate funds for the continued successful operation of the Montana State Apprenticeship Council, under the State Apprenticeship law.

## RADIO PRIZE CONTESTS

Participation in Radio Prize Contests has been held illegal in Montana. In order that our residents may have the same rights as others who reside in the United States to take part in radio prize contests, I recommend appropriate legislation in order to rectify our outmoded laws in this respect.

## AVIATION

The increasing importance of aeronautics and its functions is becoming more and more apparent in its relationship to the economy of our State. The use of the airplane by the rancher and businessman is no longer a novelty. Crop spraying, by air, for weed and insect control is a proven additional utility of the airplane. We must continue to plan ahead in the development of landing strips and airports for all communities. Airport development is necessary before we can establish feeder airlines to link all of our communities with the present excellent airlines now operating through Montana.

I would like to bring to your attention the good work of our State Aeronautics Commission. This agency, financed only by the industry it represents, has accomplished a great deal in the promotion of aeronautics, airport development, and air education. The commission has been aided in this

work by the Montana Pilots' Association, the Flying Farmers' and other aviation groups. Your support of any recommendations the commission may make will be justified. Montana can benefit materially in fostering aviation.

### LIQUOR CONTROL BOARD

I recommend that you thoroughly investigate our Liquor Control system with the view of squeezing politics and corruption out of its operation so that it will be operated efficiently for the benefit of the people of this State.

As long as I am Governor there will be no brokerage system and I recommend that legislation be passed prohibiting brokerage, in connection with our liquor monopoly system.

In order to administer the Liquor Control Act more efficiently and to procure more revenue for the people of this State, I recommend the enactment of legislation which will authorize and direct the Montana Liquor Control Board to purchase, safely keep and sell identification stamps serially numbered to be affixed to each and every bottle of distilled spirits, wines, cordials or liquors sold by or under the authority of the Liquor Control Board.

During the last Session, a law was passed limiting the number of retail liquor and beer licenses. As a result, newly-established posts of national veterans' organizations and lodges of national fraternal organizations are without liquor and beer licenses because such licenses have been oversubscribed in the area in which these posts and lodges are situated. In order to remedy this situation, I recommend legislation which will give a legitimate national fraternal or legitimate national veterans' organization, which has been in existence for at least five years, the right to procure liquor and beer licenses. In order to avoid speculation in beer and liquor licenses, I recommend legislation which will provide that all liquor licenses and beer licenses, which are not actually used by the owners thereof within 60 days after issuance by the Liquor Control Board, be automatically cancelled.

In order to permit the retail liquor dealers to legitimately carry on their business with the prospect of a reasonable return on their investment, as is the case with other merchants, I recommend that this Legislature enact legislation giving the retail liquor dealers a 10% discount on liquor purchased in quantities by them from the State. This procedure would conform to standard merchandising practices, as where the retail merchant purchases in quantity from a wholesaler.

Under the present law, one selling liquor to a minor can be tried only in the Justice Court. The selling of liquor to a minor, in my opinion, is a grievous offense and is one for the District Court where a greater penalty can be meted out in the event the defendant is found guilty. I therefore recommend appropriate legislation which will make the selling of liquor to a minor a major offense with a severe penalty in the event of conviction.

### SOCIAL CLUBS

Since you last assembled here, Social Clubs have grown over this State like mushrooms. There has not been a case insofar as I can determine, which has determined whether or not any of these Social Clubs have conformed to existing laws. These clubs, in many instances, have received licenses from the State to operate slot machines. Many of these clubs carry on open gambling. At the same time, as most everyone knows, without the guise of Social Clubs, slot machines are being illegally operated openly and notoriously, in violation of law in many counties of this State. In many instances, I am informed, individuals or syndicates control the operation of these slot machines. This practice is, of course, a racket, constitutes corruption and should not be tolerated. Only the illegal operators and corrupt public officials profit under this system.

I am informed that the United States (Department of Internal Revenue) licensed 6,019 slot machines in Montana last year while only 3,162 of such machines were licensed by this State during the same period of time. Some of our retail liquor dealers benefit from the operation of Social Clubs because of their right to have licensed slot machines. This causes unfair discrimination among the liquor retail dealers for the reason that those who are not benefiting from slot machines obviously cannot compete successfully with those retail dealers who are benefiting from the operation of Social Clubs, or illegal gambling whether it be by slot machines or otherwise. The result is, therefore, unfair competition. I believe we should face the issues as they stand. Either all slot machines operating in the State should pay a high State license tax for the benefit of our citizens or be completely banned by honest, decent and courageous enforcement of the law, save those which are operated under license by truly recognized fraternal and veteran organizations or by truly charitable institutions. These are matters for you and for you alone to rectify during this Session and I so recommend.

### WATER CONSERVATION BOARD

One of the essential programs for Montana is, of course, Reclamation. We must go ahead with this fine program and any adequate financial provisions which will permit the Water Conservation Board to proceed with its projects, merits, in my opinion, your serious consideration.

### STATE BOARD OF EQUALIZATION

Chapter 218, Revised Codes of Montana, 1935, was declared unconstitutional with respect to interstate commerce, in *State vs. Montana-Dakota Utilities Company*, 114 Montana 161. Thus, natural gas exported through a pipe line originating in Montana for use without the State, escapes taxation. In order to correct this situation, I suggest that a law taxing the production of natural gas be enacted, incorporating a provision that the production tax be offset by any distribution tax paid on the same gas.

At the present time Montana has no law providing for a tax on aircraft engaged in interstate commerce. I recommend that the Legislature give careful consideration to the enactment of legislation which will correct this deficiency in our present taxation law.

Our freight line company tax law, as amended in 1935, was declared unconstitutional by the Supreme Court in December, 1945. Since the decision, no taxes have been collected on freight line property. The law formerly brought in about \$35,000 annually which was credited to the State Public School General Fund. A new law should be enacted to again place this property on the tax rolls and I so recommend.

Throughout this State most hotels and other public lodging places have portable coin operated radios, supplied by foreign concerns, for the use of their patrons. Being portable, they can easily avoid taxation on the first Monday of March, but if they are required to be licensed, the State will derive substantial revenue from that source. For that reason, I recommend that a law be enacted to license each such coin-operated radio.

The State Board of Equalization has found evidence that tax stamps issued by this State to evidence payment of a tax upon required articles have been removed for use upon other taxable items or forged, thereby depriving the State of revenue. I recommend that a law be enacted prescribing the manner of affixing of such stamps and prescribing a penalty for defrauding the State of Montana.

Of major importance is the matter of reclassification and revaluation of real property and improvements, in rural and urban areas in each county and I recommend appropriate legislation to bring this about. Unequal tax burdens exist among the taxpayers and among different classes of property.



Section 2028, Revised Codes, 1935, enacted in 1921, authorize a levy to defray the cost of classification in each county, but does not authorize or provide for reclassification. There is no other statute pertaining thereto.

A resolution was passed by the county assessors of Montana at their last annual meeting that the reclassification should be done under the supervision, or by, the State Board of Equalization, in order to obtain uniformity throughout the State.

While much preliminary work has been done under the limitation of the said statute, in co-operation with the Soil Analysis Department of the Montana State College, the Extension Service, the County Assessors and the Boards of County Commissioners, a new act is necessary before authority exists for such reclassification and revaluation. If the work is to be done by the State Board of Equalization, an appropriation sufficient for the purpose will be needed.

### FISH AND GAME DEPARTMENT

We must inaugurate a program of immediate restoration and development of Fish and Game resources to the fullest extent in this State and I especially invite your attention to any legislation which will aid in bringing this about.

### PURCHASING AGENT

The present laws relating to State purchases by the State Purchasing Agent are impractical. The statute requiring notice by publication before purchase, would, in many instances, cost the State of Montana over the period of a year, many thousands of dollars. Because of this fact, Purchasing Agents for many years, in order to avoid the heavy costs of publication, have sent out invitations by mail to persons and corporations interested in submitting bids. This practice has at times caused confusion, delay and needless litigation.

I therefore recommend that you pass appropriate legislation which will make workable our laws relating to State purchases by the Purchasing Agent which will be economical to the people of this State and, at the same time, safeguard all purchases made by the State.

### INCOME TAX

Many of our citizens are contributing to more than 50% for the support of persons over 18 years of age. Under our present law (Sec. 2295.10 R. C. M. 1935) these persons are not entitled to an exemption. In my opinion, this is unfair and I believe that the law should be amended to change the rate of \$300.00 to \$500.00 with the elimination of any age, provided the taxpayer contributes more than 50% to the support of such dependent.

I recommend the foregoing changes in our Income Tax Law because many of our people are supporting children going to college as well as persons who are incapable of self support because of mental or physical defects.

### POST-WAR PLANNING PROGRAM

Inasmuch as our Post-War Planning Program has not been completed and in order to insure its completion, I recommend that the balances in the Post-War Planning Program for the various institutions be reappropriated in order to carry them beyond the June 30 fiscal period.

### INDUSTRIAL SURVEY

With our great resources, undoubtedly we can encourage new business to come to this State. However, this will take initiative and planning and



co-operation on the part of all of us. With this in mind, I recommend that a Montana Resources Development Board be created in order to make a study and survey of the State's resources and industrial and business possibilities with appropriate policy recommendations for the next Legislature.

### CONCLUSION

At no time do I intend to encroach upon the prerogative of your functions. I sincerely believe that the two departments of Government should function independently. Heretofore, I have pointed out to you several matters which I believe should be treated by law. It is your province alone to prepare and pass measures embodying suggestions on which the people of Montana have so clearly spoken in this last election. At all times, I am ready to help you either individually or collectively, and to you I offer the fullest measure of co-operation.

The people of Montana are expecting much of this Legislature and without question, many of these expectations will end in disappointment unless the executive and legislative branches carry out their respective duties in utmost harmony. I am confident that all of you know full well how intensely the people are thinking. It is your duty and my duty to see to it that our actions during this Session of the Legislature meet the approval of the people of Montana.

It was moved by Loble that one thousand copies of the Governor's message be printed for distribution to the members of the House and members of the Senate, to the Governor's offices and other State offices.

President Cannon appointed the following committee to escort His Excellency, the Governor of Montana, to his chambers: Moss, Wilson, Loble, Bricker and Loughran.

It was moved by Senator Moss from Flathead that the Joint Assembly of the Legislature now dissolve and the Senate return to their own chambers.

The committee appointed to escort the Governor to his chamber returned and was discharged.

House recessed.

House resumed. Mr. Speaker in the Chair.

It was moved by Loble that the House adjourn until 11:00 A. M., January 6, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### FOURTH DAY

House of Representatives,  
Helena, Montana,  
January 6, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members present except Esp, Karlberg and Sales, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we

have examined the Journal for the Third Legislative Day and find same correct.

HOLTZ, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

A bill for an act entitled: "An act to amend Section 591, Revised Codes of Montana, 1935, as amended by Chapter 117, Montana Session Laws of 1947, relating to the compensation of election officers, increasing such compensation and providing for minimum payment for such services." — Clark (Silver Bow), Loughran.

A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, relating to the operation of motor vehicles while in an intoxicated condition, declaring the same a felony, providing the penalty therefore, and repealing all acts in conflict." — Clark (Silver Bow).

A bill for an act entitled: "An act to amend Section 10400.4, Revised Codes of Montana, 1935, relative to inheritance tax exemptions providing for exemption from the first twenty-five thousand dollars of an estate, all property transferred to corporations or voluntary associations organized solely for religious, charitable, educational, and other public purposes, providing this act retroactive and applicable to all estates of certain decedents." — Tripp.

A bill for an act entitled: "An act providing for payment of expenses of members of the Thirty-first Legislative Assembly of the State of Montana." — John Oliver of Phillips, Taber, Jarussi, Cunningham, Emmons, McCarthy, Foley, Blenkner, Dusak, Holtz, Williams, Harken, Anderson (Hill), Nixon, Westlake, Cotton, Michels, Barnard, Harlow, Holding, Page (Granite), Duppler, Corcoran, Page (Missoula), Hawks, Anderson (Phillips), Krieg, Skibby, Scofield, Martin, Ganson, Rostad, Beck, Jensen, Smith.

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIII of the Constitution of the State of Montana, relating to the creation of indebtedness against the State of Montana; authorizing the legislative assembly to provide by legislation for the payment of an adjusted compensation to persons serving in the Armed Forces of the United States during World War II; to levy taxes and appropriate monies, contract debts, issue and negotiate bonds or certificates of indebtedness, or both, and to pledge the public credit, if and whenever authorized and in such amounts and on such terms as may be fixed by the Legislature, for the payment of such adjusted compensation, and declaring such to be a public purpose." — David R. Domke of Cascade, Burns, Dwyer, Tripp, Mernin, Holding, MacDonald.

A joint memorial entitled: "A joint memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation authorizing the immediate repeal of the Taft-Harley Act, Public Law 101 of the First Session of the Eightieth Congress, cited as the 'Labor-Management Relations Act, 1947'." — Henry Loble of Lewis & Clark, Nixon, Beck, Harlow, Duncan, Jarussi, Smith, Holding, Emmons, Mernin, Dusak, McCarthy.

### REPORT OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

PAYROLL CLERK  
Ernest F. Huth

## CLERKS

Walter Marshall

R. A. Loveland

## ELEVATOR

Paul J. Heaney, Jr.

## JANITOR

Ingval R. Young

## PAGE

Joe Carroll

Captain Charles Bryant  
Vernon Blaine Charlton

## PROOF READERS

Mrs. Margaret F. Ramey  
Milo Howard Cook  
Frank ClintonMrs. Herman Davenport  
Charles Kenyon  
Tom Allen  
Beth M. O'Brien

## STENOGRAPHERS

Agnes Small

Betty Mae DeWolf  
Nora E. Dougherty

## TYPIST

Sylvia C. Baker

HESS, Chairman.

Report adopted.

## COMMUNICATIONS FROM THE SENATE

Moved by Loble that the messages from the Senate be considered read at length, and the Journal so show. Carried.

## REPORT OF STANDING COMMITTEES

Mr. Speaker: I have examined H. B. No. 1, introduced by Committee on Employment, and find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: I have examined H. B. No. 2, introduced by Committee on Appropriations, and find the same to be correct.

DUNCAN, Chairman.

Report adopted.

The Enrolling Committee reported that House Bills Nos. 1 and 2 were correctly enrolled and the following statement was read by the Clerk:

"Mr. Speaker: We, your Committee on Enrollment, report the following bills correctly enrolled: House Bills Nos. 1 and 2."

WIEDMAN, Chairman.

Thereupon the Speaker announced in Open Session that he was about to sign House Bill No. 1 and House Bill No. 2, and thereupon in Open Session did sign same.

Moved by Loble that the Speaker be empowered to appoint in excess of (15) men on Standing Committees where applications for appointment are especially heavy. Seconded and carried.

Moved by Loble that the proper sub-committees of the Appropriations Committee, dealing with custodial and educational institutions be authorized to proceed in making proper investigations and that any necessary expenses incurred therewith be authorized and that like committees of the Finance and Claims Committee of the Senate be invited to participate in such investigations if they so desire. Seconded and carried.

### INTRODUCTION OF BILLS

The following bill was introduced, read first and second time and referred to Committee on Labor:

House Bill No. 3, introduced by Anderson of Phillips, Scofield, Blenkner, Armstrong: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to section one (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the separation of the Bureau of Labor and Industry from the Bureau of Agriculture." Referred to Committee on Labor.

Moved by Loble that the House recess until 2 P. M. Carried.

House resumed. Mr. Speaker in the Chair.

### UNFINISHED BUSINESS

The Speaker announced the following committee appointments:

Committee on Military Affairs: Burns, Chairman; Martin, Vice-Chairman; Domke, Gunderson, Jarussi, Dwyer, Nixon, Aronow, Koch, MacDonald, Hunter, Armstrong, Peters, Mulroney, Dokken.

Committee on Petroleum, Oil and Gas: Aronow, Chairman; Wilson (Judith Basin), Vice-Chairman; Page (Granite), Peterson, Cotton, Laas, McKenna, Robertson, Williams, Cunningham, Duppler, Standish, Anderson (Phillips), Hoiness, Skibby.

Committee on Agriculture: Gunderson, Chairman; Williams, Vice-Chairman; Beck, Cotton, Holtz, Michels, Robertson, Wilson (Judith Basin), Anderson (Hill), Andersen (Richland), Wilson (Treasure), Anderson (Phillips), Sales, Hawks, Ganson.

Committee on Affairs of Cities: Karlberg, Chairman; McCarthy, Vice-Chairman; Jarussi, Page (Granite), Van Dyke, Dusak, Foley, Trout, Culbertson, Emmons, Frerich, Hoiness, Haytin, McElwain, Dokken.

Committee on State Lands: Barnard, Chairman; MacDonald, Vice-Chairman; Gunderson, Clark (Musselshell), Beck, Karlberg, Peterson, Van Dyke, Andersen (Richland), Esp, Scofield, Taylor, Phillips, Rostad, Peters.

Committee on Railroads and Railroad Transportation: Cotton, Chairman; Jensen, Vice-Chairman; Howard, Hess, Ewing, Tripp, Van Dyke, Burns, Trout, Gebhardt, Esp, Frerich, Hawks, Wilson (Treasure), Harpster.

Committee on Highways and Highway Transportation: Nixon, Chairman; Beck, Vice-Chairman; Loughran, Michels, Robertson, McKenna, Jensen, Laas, Cunningham, Cotton, Bricker, Page (Missoula), Pierce, Duppler, Frerich, Working, Harpster.

Committee on Fish and Game: Ballard, Chairman; Ewing, Vice-Chairman; Holding, Hall, Jarussi, Clark (Musselshell), Koch, Williams, Van Dyke, Jensen, Emmons, McCarthy, Armstrong, Bricker, Martin, Wiedman, Wilson (Treasure), Haytin, Rostad.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Committee on Mileage and Per Diem, beg to submit the following list indicating the number of miles traveled by the following members of the House and the sums due them therefor, for the Session of the Thirty-first Legislative Assembly, convening January 3, 1949, to-wit:

Name and Address	Miles at .05	Amount
Andersen, Volney; Sidney .....	1,050	\$52.50
Anderson, Eric; Regina .....	708	35.40
Anderson, Ralph J.; Hill .....	414	20.70
Armstrong, Ory J.; Kalispell .....	496	24.80
Aronow, Cedor B.; Shelby .....	440	22.00
Ballard, W. T.; Butte .....	144	7.20
Barnard, Lloyd; Saco .....	748	37.40
Beck, Martin J.; Vida .....	886	44.30
Blenkner, E. A.; Columbus .....	396	19.80
Brenner, J. S.; Grant .....	364	18.20
Bricker, R. C.; Great Falls .....	196	9.80
Burns, Ernest; Whitefish .....	526	26.30
Clark, Earl E.; Roundup .....	462	23.10
Clark, Elmer; Butte .....	144	7.20
Corcoran, Don H.; Ryegate .....	360	18.00
Cotton, Robert S.; Glasgow .....	748	37.40
Culbertson, Harry; Fort Benton .....	270	13.50
Cunningham, John J.; Bridger .....	512	25.60
Dokken, H. H.; Bozeman .....	202	10.10
Domke, David R.; Great Falls .....	196	9.80
Duncan, Philip C.; Whitehall .....	120	6.00
Duppler, C. H.; Baker .....	938	46.90
Dusak, John F.; Great Falls .....	196	9.80
Dwyer, Robert G.; Butte .....	144	7.20
Emmons, John; Anaconda .....	196	9.80
Esp; Leonard J.; Greycliff .....	338	16.90
Ewing, Guy L.; Townsend .....	70	3.50
Foley, E. J.; Butte .....	144	7.20
Frerich, J. H.; Poplar .....	914	45.70
Ganson, W. L., Jr.; Terry .....	895	44.75
Gebhardt, R. H.; Billings .....	478	23.90
Goodgame, Allen; Troy .....	812	40.60
Graybill, Leo C.; Great Falls .....	196	9.80
Gunderson, O. S.; Power .....	119	5.95
Hall, Earl H.; Gardiner .....	358	17.90
Harken, R. C.; Forsyth .....	710	35.50
Harlow, Paul K.; Thompson Falls .....	460	27.00
Harpster, John; Glendive .....	928	46.40
Hawks, Clyde L.; St. Xavier .....	660	33.00
Haytin, John J.; Helena .....	.....	.....
Helding, Oscar; Missoula .....	238	11.90
Hess, H. H.; Havre .....	414	20.70
Hoiness, Melvin N.; Billings .....	478	23.90
Holtz, Ronald W.; Portage .....	224	11.20
Howard, W. C.; Wibaux .....	1,000	50.00
Hunter, Dr. W. L.; Helena .....	.....	.....
Jarussi, John M.; Joliet .....	482	24.10
Jensen, Arthur N.; Superior .....	366	18.30
Karlberg, John; Missoula .....	238	11.90
Koch, Thomas P.; Hamilton .....	330	16.50
Krieg, Fred C.; Billings .....	478	23.90
Laas, Walter; Chester .....	500	25.00
Loble, Henry; Helena .....	.....	.....



Loughran, Mike; Butte .....	144	7.20
MacDonald, John J.; Jordan .....	988	49.40
McCarthy, June; Butte .....	144	7.20
McElwain, J. A.; Deer Lodge .....	112	5.60
McKenna, J. E.; Lewistown .....	430	21.50
Martin, C. Lester; Harrison .....	202	10.10
Mernin, Henry F.; Butte .....	144	7.20
Michels, Lloyd J.; Medicine Lake .....	1,060	53.00
Mulroney, Thos. E.; Missoula .....	238	11.90
Nixon, Richard; Hogeland .....	568	28.40
Oliver, John; Ekalaka .....	1,056	52.80
O'Neil, Carle F.; Kalispell .....	496	24.80
Page, John R.; Philipsburg .....	220	11.00
Page, Winfield E.; Missoula .....	238	11.90
Peters, Carl B.; Billings .....	484	24.20
Peterson, N. A.; Valier .....	339	16.95
Phillips, R. J.; Lewistown .....	410	20.50
Pierce, Geo. R.; Billings .....	478	23.90
Robertson, I. A.; Ronan .....	380	19.00
Rostad, Orville; Lennep .....	180	9.00
Sales, W. L.; Manhattan .....	162	8.10
Scofield, Chas. L.; Biddle .....	1,000	50.00
Skibby, E. J.; Winnett .....	522	26.10
Smith, Gene A.; Anaconda .....	196	9.80
Standish, Lyle; Choteau .....	272	13.60
Taber, C. J.; Hamilton .....	330	16.50
Taylor, E. N.; Scobey .....	980	49.00
Tierney, Frank; Butte .....	144	7.20
Tripp, Dr. Myron; Billings .....	478	23.90
Trout, Keith, W.; Miles City .....	815	40.75
Van Dyke, William; Harlowton .....	270	13.50
Westlake, L. I.; Bozeman .....	196	9.80
Wiedman, R. H.; Polson .....	388	19.40
Williams, E. C.; Cut Bank .....	412	20.60
Wilson, Archie; Hysham .....	678	33.90
Wilson, J. Harry; Stanford .....	318	17.50
Working, Paul; Wilsall .....	204	10.20

Motion by Westlake that report be adopted.

WESTLAKE, Chairman.

Moved by Loble that the report of the Committee on Mileage and Per Diem be considered read at length and the Journal so show. Carried.

Peterson of Pondera moved that as a substitute motion the report of the Committee on Mileage and Per Diem be re-referred to the Committee on Mileage and Per Diem. Motion lost.

Question on the original motion of Westlake that the report of the committee be adopted, seconded. On being put, the motion carried.

Moved by Loble that the House adjourn until Friday, January 7, 1949, at 10 A. M. Motion carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## FIFTH DAY

House of Representatives,  
Helena, Montana,  
January 7, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members present except Esp, Hoiness, Jensen, Karlberg, Mernin, Taylor and Working, who were excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fourth Legislative Day and find same correct.

HOLTZ, Chairman.

Report adopted.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

A bill for an act entitled: "An act providing for a veterans' credit in all examinations required by the State of Montana and defining the terms of this act as used herein, and repealing all acts and parts of acts in conflict herewith." — Dwyer.

A bill for an act entitled: "An act to amend Section 122, Revised Codes of Montana, 1935, as amended by Chapter 181, Laws of the Thirtieth Legislative Assembly, 1947, relating to deputy state officers, their duties, bonds, oath and appointment." — McElwain.

A bill for an act entitled: "An act to amend Section 453 of the Revised Codes of Montana, 1935, relating to office hours of public officers." — McKenna.

A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games, and slot machines; providing a license fee for the operation of such games and slot machines and fixing the amount and disposal of such fees; defining the powers and duties of the State Board of Equalization of the State of Montana, and the Auditor and Sheriff of the counties of the State of Montana in the administration and enforcement of this act and in the suspension or revocation of such licenses; providing for hearing before suspension or revocation; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or slot machines or frequenting premises where the same are conducted or operated; authorizing counties and cities to levy and collect a license tax in addition to the State license tax herein provided for; providing penalties for the violation of the provisions of this act; providing for local option by counties in relation to the adoption of this act; repealing Section 11159, Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of 1937, repealing all acts and parts of acts in conflict herewith." — McCarthy.

A bill for an act entitled: "An act providing for the payment of unemployment compensation in the event of sickness or disability; providing for a sickness or disability fund to be administered by the Montana Unemployment Compensation Commission; providing for the assessment and collection of contributions upon the wages of employees and providing penalties for violations." — Burns, Nixon, MacDonald, Jarussi, Mernin, O'Neil, Page (Granite), Holtz.

A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to deductions allowed in computing net income by adding an additional section allowing deductions of veterans'

mustering out pay, rations and quarters allowance, disability pay, and all benefits administered by the veterans' administration of the United States Government in computing net income." — Burns, MacDonald, Jarussi, Mernin, Tripp, O'Neil, Page (Granite), Holtz.

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XII of the Constitution of the State of Montana, relating to exemptions of property from taxation; providing for exemptions of homesteads of veterans of World War II for a period of five years; interpreting the meaning of homestead; providing to whom such exemption shall extend, and fixing the value of such exemptions." — Nixon, MacDonald, Jarussi, Mernin, Page (Granite), Holtz, Burns.

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article IX of the Constitution of the State of Montana relating to elections and voting." Burns, MacDonald, Jarussi, Mernin, Page (Granite).

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

##### CLERKS

Lawrence O. Lindberg  
Ivy C. Eccles  
Victor James Kiely

Hazel W. Jones  
Kate Rockefeller  
Ernest A. Hardcastle

##### PROOF READERS

Roselle Forde

Nell N. Zion  
Julianne Wine

##### STENOGRAPHERS

Agnes E. Lofgren  
Alice L. Smith

Frances Muffick  
Bernice M. Peacock

##### ASSISTANT JOURNAL CLERK

August W. Berning

##### TYPISTS

Kathryn E. West  
Mae Cottrill

Mildred A. Baer  
Stanley Kenneth Murray

##### SECRETARY TO MAJORITY FLOOR LEADER

Melba Gibbs

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

January 6, 1949.

Mr. Speaker,  
House of Representatives,  
Helena, Montana.

Dear Mr. Speaker:

I have, this date, approved House Bill No. 1.

JOHN W. BONNER, Governor.

Mr. Speaker,  
House of Representatives,  
Helena, Montana.

Dear Mr. Speaker:

I have, this date, approved House Bill No. 2.

JOHN W. BONNER, Governor.

## CONSIDERATION OF MESSAGES FROM THE SENATE

January 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President Pro Tempore of the Senate this day signed in Open Session House Bills Nos. 1 and 2.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills and memorials were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Memorial No. 1, introduced by Loble, Nixon, Beck, Harlow, Duncan, Jarussi, Smith, Holding, Emmons, Mernin, Dusak and McCarthy: "A Joint Memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation authorizing the immediate repeal of the Taft-Hartley Act, Public Law 101 of the First Session of the Eightieth Congress, cited as the 'Labor-Management Relations Act, 1947'." Referred to Committee on Labor.

House Bill No. 4, introduced by Domke, Burns, Dwyer, Tripp, Mernin, Holding and MacDonald: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIII of the Constitution of the State of Montana relating to the creation of indebtedness against the State of Montana: authorizing the legislative assembly to provide by legislation for the payment of an adjusted compensation to persons serving in the Armed Forces of the United States during World War II: to levy taxes and appropriate monies, contract debts, issue and negotiate bonds or certificates of indebtedness, or both, and to pledge the public credit, if and whenever authorized and in such amounts and on such terms as may be fixed by the legislature, for the payment of such adjusted compensation, and declaring such to be a public purpose." Referred to Committee on Military Affairs.

House Bill No. 5, introduced by Oliver, Duppler, Scofield, Taber, Mulroney, Page (Missoula), Holding, Smith, Tierney, McCarthy, Loughran, Clark (Silver Bow), and Dusak: A bill for an act entitled: "An act providing for payment in the amount of five dollars per day for expenses of members of the Thirty-first Legislative Assembly of the State of Montana." Referred to Committee on Mileage and Per Diem.

## UNFINISHED BUSINESS

The Speaker announced the following committee appointments:

Committee on Livestock and Public Ranges: Clark (Musselshell), Chairman; Barnard, Vice Chairman; Harken, MacDonald, Westlake, Wilson

(Judith Basin), Robertson, Michels, Ewing, Nixon, Scofield, Esp, Martin, Phillips, Anderson (Phillips), Brenner, Harpster, Rostad, Skibby.

Committee on Public Morals, Charities and Reforms: Westlake, Chairman; Holtz, Vice Chairman; McCarthy, Hall, Tierney, Ewing, Tripp, Trout, Andersen (Richland), Taber, Page (Missoula), Working, Ganson, Hawks, Dokken.

Committee on Entertainment: Ballard, Chairman; Gebhardt, Vice Chairman; Trout, Smith, Haytin.

Committee on Federal Relations: Peterson, Chairman; Cunningham, Vice Chairman; Hess, Dwyer, Duncan, Mernin, MacDonald, O'Neil, Phillips, Martin, Wiedman, Hoiness, Sales, Pierce, Mulroney.

Committee on Constitutional Amendments: Tripp, Chairman; Van Dyke, Vice Chairman; Koch, Duncan, Harlow, Domke, McKenna, Jarussi, Burns, Wiedman, Blenkner, Duppler, Armstrong, Hoiness, McElwain.

Committee on State Institutions, Public Buildings and Grounds: Page (Granite), Chairman; Culbertson, Vice Chairman; Gunderson, Karlberg, Domke, Tierney, Cotton, Cunningham, Michels, Duppler, Gebhardt, Oliver, Corcoran, Working, Haytin.

Committee on Development and Publicity: Jensen, Chairman; Wilson (Judith Basin), Vice Chairman; Harlow, Gunderson, Clark, Holding, Karlberg, Culbertson, Armstrong, Oliver, Page (Missoula), Taylor, Standish, Frerich, Duppler.

Committee on Dairying: Robertson, Chairman; Anderson (Hill), Vice Chairman; Gunderson, Harken, Harlow, Holtz, Williams, Westlake, Taber, Corcoran, Standish, Phillips, Harpster, Rostad, Peters.

Committee on Horticulture: Koch, Chairman; Robertson, Vice Chairman; Ewing, Peterson, Howard, McCarthy, O'Neil, Goodgame, Page (Missoula), Martin, Krieg, Wilson (Treasure), Mulroney, Harpster, Peters.

Committee on Social Security: McKenna, Chairman; Mernin, Vice Chairman; Tripp, Karlberg, Duncan, Ballard, Laas, Dusak, Goodgame, Foley, Hunter, Standish, Oliver, Pierce, Sales.

Committee on Insurance: Clark (Silver Bow), Chairman; Howard, Vice Chairman; Domke, Tierney, Holding, Harken, Goodgame, Mernin, O'Neil, Krieg, Armstrong, Blenkner, Frerich, Mulroney, Working.

Committee on Townships and Counties: Beck, Chairman; Howard, Vice Chairman; Loughran, Wilson (Judith Basin), Koch, Michels, Van Dyke, MacDonald, Culbertson, Cunningham, Bricker, Phillips, Taylor, Anderson (Phillips), Taber, Frerich, Peters.

Committee on Public Health and Sanitary Affairs: Jarussi, Chairman; Holtz, Vice Chairman; Holding, Emmons, Loughran, Mernin, Trout, Anderson (Hill), Foley, Hunter, Corcoran, Anderson (Phillips), Frerich, Dokken, Duppler, Ganson, Skibby.

Committee on Irrigation and Water Rights: Andersen (Richland), Chairman; Anderson (Hill), Vice Chairman; Harken, Cotton, Nixon, Westlake, Ewing, Koch, Williams, Scofield, Sales, Wilson (Treasure), Krieg, Mulroney, Ganson, Hawks, Skibby.

Committee on Water Conservation and Flood Control: Michels, Chairman; Culbertson, Vice Chairman; Clark (Musselshell), Anderson (Hill), MacDonald, Van Dyke, Andersen (Richland), Holtz, Aronow, Esp, Corcoran, Bricker, Scofield, Brenner, Peters.

Committee on State Boards and Offices: Hess, Chairman; Smith, Vice Chairman; Loughran, Harken, Hall, Harlow, Tierney, Emmons, Barnard,



Blenkner, Wilson (Treasure), Krieg, Page (Missoula), McElwain, Haytin, Hawks, Brenner.

Committee on Conservation of Resources: Goodgame, Chairman; Williams, Vice Chairman; Holding, Loughran, Harken, Clark (Silver Bow), McCarthy, Wilson (Judith Basin), Jensen, Phillips, Esp, Taber, Hawks, Rostad, McElwain.

Committee on Public Utilities and State Commissions: Dwyer, Chairman; Laas, Vice Chairman; Hess, Beck, Karlberg, Dusak, Barnard, Trout, Anderson (Hill), Oliver, Corcoran, Pierce, Sales, Harpster, Skibby.

Committee on Aviation: Laas, Chairman; Smith, Vice Chairman; Tierney, Hess, Foley, Holtz, O'Neil, Jensen, Gebhardt, Hunter, Sales, Mulroney, McElwain, Dokken, Haytin.

Committee on Public Safety: McCarthy, Chairman; Goodgame, Vice Chairman; Ballard, Hall, Harlow, Howard, Emmons, Nixon, Laas, Gebhardt, Pierce, Anderson (Phillips), Ganson, Hawks, Peters.

Committee on Ways and Means: O'Neil, Chairman; Clark (Silver Bow), Vice Chairman; Beck, Ballard, Duncan, Aronow, Barnard, McKenna, Scofield, Blenkner, Page (Missoula), Wilson (Treasure), Martin, Pierce, McElwain.

Committee on Privileges and Elections: Mernin, Chairman; Cunningham, Vice Chairman; Dwyer, Karlberg, Clark (Silver Bow), Nixon, Andersen (Richland), Burns, Aronow, Goodgame, Taylor, Standish, Hoiness, Wiedman, Sales, Duppler, Brenner.

Moved by Loble, that the House adjourn until Monday, January 10, 1949, at 1 o'clock P. M. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## EIGHTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 10, 1949.

House convened pursuant to adjournment at 1 o'clock P. M.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Frerich, excused.

Mr. Speaker: Your Committee on Journal beg to report that we have examined the Journal for the Fifth Legislative Day and find same correct.

HOLTZ, Chairman.

Report adopted.

## NOTICES

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day introduce a bill entitled:

A bill for an act entitled: "A bill for an act to amend Section 4568, of the Revised Codes of Montana, 1935, relating to library tax, by increasing tax therein provided to two mills." — Hawks.

A bill for an act entitled: "A bill for an act prohibiting endurance races of more than five miles; providing a penalty; and repealing all acts in conflict."—Duppler, Oliver, Howard.

A bill for an act entitled: "An act creating a commission to study the tax structure of Montana, prescribing its duties and authority, providing for its compensation and expenses connected therewith, and appropriating a fund therefor."—Loble and Bricker.

A bill for an act entitled: "An act to reappropriate and appropriate money heretofore appropriated for the printing, binding and distribution of the Revised Codes of Montana of 1947."—Duncan, Chairman, Appropriation Committee.

A bill for an act entitled: "An act authorizing and directing the Montana Liquor Control Board to charge and collect an excise tax on all liquor sold by it for the use and benefit of the counties, cities and towns of the State of Montana: and providing for the payment of said tax to the Treasurers of the various counties of the state where said liquor is sold in state liquor stores, providing in addition that said tax shall be charged and collected on all liquor brought into the state and taxed by the Montana Liquor Control Board, requiring the County Clerk and Recorder in each county to file a certified statement of the number of registered voters in each incorporated city and town of the county and also the copy of the registration of the rural voters in the county based on the last registration of the rural voters in the county based on the last registration with the Montana Liquor Control Board and file another copy with the Treasurer of their county."—Haytin, Emmons.

A bill for an act entitled: "An act providing for a license tax by cities and towns on trade stimulators including punch boards, pull cards, and similar devices; fixing the amount of such tax, prescribing the method of administration by cities and towns subsequent to passage and approval of a proper ordinance, the disposition of the revenue from said licenses, making violation a misdemeanor, providing penalties for the violation of this act and repealing all acts or parts of acts in conflict herewith."—Haytin and Emmons.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, respectfully recommend that the status of the following employees be changed as of January 10, 1949:

Madge Dugan O'Connor from Clerk to Clerk to the Chief Clerk.  
 Marjorie Cahill from Stenographer to Clerk to Sergeant-at-Arms.  
 Leo Ray Landon from Clerk to Assistant Printing Clerk.  
 Dorothy M. Schwendler from Stenographer to Secretary to Speaker.  
 Paul J. Heaney, Jr., from Elevator Operator to Assistant Janitor.  
 Thomas F. Courtney from Assistant Janitor to Elevator Operator.  
 Mae Cottrill from Typist to Stenographer.  
 Jean F. Fallan from Typist to Assistant Enrolling Clerk.  
 Sarah A. Engstrom from Proof Reader to Stenographer.  
 Janet Marie Kercher from Clerk to Typist.  
 Ruby G. Albright from Clerk to Typist.  
 C. Edson Smith from Door Keeper to Watchman.  
 Fred A. Tintinger from Door Keeper to Watchman.

Report as follows:

The Employment of the following named please be terminated:

## STENOGRAPHERS

Frances Muffick

## JANITOR

Norman Chalmers

## PROOF READER

Charles Kenyon

Do further recommend that the following be employed:

## READING CLERK

John J. Jewell

## SECRETARY TO APPROPRIATIONS COMMITTEE

Ethel M. Martin

## TYPISTS

Si A. Stoddard

## CLERK

Thomas Russel

HESS, Chairman.

Report adopted.

Moved by Loble, that the committee report be amended to show that "Dorothy M. Schwendler" be shown as Secretary to the Speaker rather than Secretary to the Minority Floor Leader. Motion carried.

Mr. Speaker: We, your Committee on Printing, beg leave to report that the following bills were correctly printed: House Bills Nos. 1 and 2.

O'NEIL, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the messages from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 6, introduced by McKenna: A bill for an act entitled: "An act to amend Section 453 of the Revised Codes of Montana of 1935, relating to office hours of public officers." Referred to Committee on Townships and Counties.

House Bill No. 7, introduced by Burns, MacDonald, Jarussi, Mernin, Tripp, O'Neil, Page (Granite), and Holtz: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to deductions allowed in computing net income by adding an additional section allowing deductions of veterans' mustering out pay, rations and quarters allowance, disability pay, and all benefits administered by the Veterans' Administration of the United States Government in computing net income." Referred to Committee on Military Affairs.

House Bill No. 8, introduced by Burns, MacDonald, Jarussi, Mernin, Page (Granite): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article IX of the Constitution of the State of Montana relat-

ing to elections and voting." Referred to Committee on Constitutional Amendments.

House Bill No. 9, introduced by Burns, Nixon, MacDonald, Jarussi, Mernin, O'Neil, Page (Missoula), Holtz: A bill for an act entitled: "An act providing for the payment of unemployment compensation in the event of sickness or disability; providing for a sickness or disability fund to be administered by the Montana Compensation Commission; providing for the assessment and collection of contributions upon the wages of employees and providing penalties for violations." Referred to Committee on Social Security.

House Bill No. 10, introduced by MacDonald, Jarussi, Mernin, Page (Granite), Holtz, Burns: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XII of the Constitution of the State of Montana, relating to exemptions of property from taxation; providing for exemptions of homesteads of veterans of World War II for a period of five years; interpreting the meaning of homestead; providing to whom such exemption shall extend, and fixing the value of such exemptions." Referred to Committee on Military Affairs.

House Bill No. 11, introduced by Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, relating to the operation of motor vehicles while in an intoxicated condition, declaring the same a felony, providing the penalty therefore, and repealing all acts in conflict." Referred to Committee on Highways and Highway Transportation.

House Bill No. 12, introduced by Clark (Silver Bow), Loughran: A bill for an act entitled: "An act to amend Section 591, Revised Codes of Montana, 1935, as amended by Chapter 117, Montana Session Laws of 1947, relating to the compensation of election officers, increasing such compensation and providing for minimum payment for such services." Referred to Committee on Privileges and Elections.

Moved by Loble, that the House adjourn until 10:30 A. M., January 11, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### NINTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 11, 1949.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Culbertson, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Eighth Legislative Day and find same correct.

HOLTZ, Chairman.

### NOTICES

The following authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

A bill for an act entitled: "An act to amend Sections 2912, 2913, 2914 and 2915 of the Revised Codes of Montana of 1935, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, and to amend Section 2918 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, and to amend Section 2920 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, all relating to compensation for injuries to workmen by increasing compensation in cases of: Temporary, total, and total partial disability, for injuries causing death, and date from which compensation is to be paid in case of death, and for specified injuries." — Committee on Workmen's Compensation, Emmons, Chairman.

A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to Section 5, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness or liability of a county without the approval of a majority of the electors thereof." — Westlake, McKenna, Wiedman.

A bill for an act entitled: "An act creating the Old Age Assistance Commission; Providing for an Old Age Assistance Board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an Old Age Assistance Fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; making applicable existing provisions of Chapter 82, Laws of Twenty-fifth Legislative Assembly and of part of III of said Chapter 82, and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens of the State of Montana, and repealing all acts and parts of acts in conflict herewith." — Mernin, Emmons, Domke, Holding, Dusak, Peterson, McCarthy, Smith, Tierney and Burns.

A bill for an act entitled: "An act relating to and regulating mausoleums and columbariums and the interment of dead human remains therein, regulating crematories in connection with mausoleums and columbariums, providing for and regulating endowment care funds for mausoleums and columbariums, and providing penalties for violation thereof." — Bricker.

A bill for an act entitled: "An act to fix the minimum salary of county officers." — MacDonald.

A bill for an act entitled: "An act to amend Section 4464, Revised Codes of Montana, 1935, as amended by Chapter 176, Session Laws 1939, relating to compensation and mileage of county commissioners." — MacDonald.

A bill for an act entitled: "An act to amend Sections 1, 4, 5, 6, 8, and 12 of Chapter 87 of the Laws of 1937, as amended by Chapters 202 and 215 of the Laws of 1939, and Chapters 15 and 137 of the Laws of 1945, relating to the teachers retirement system of the State of Montana; and repealing all acts and parts of acts in conflict herewith." — Harlow, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

#### STENOGRAPHERS

Mary V. Harrington

#### TYPIST

Bernice Trout

HESS, Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 7, respectfully report as follows:

That House Bill No. 7 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Joint Memorial No. 1, respectfully report as follows:

That House Joint Memorial No. 1 do pass.

HELDING, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 3, respectfully report as follows:

That House Bill No. 3 do pass.

HELDING, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following notices were this day received and read:

By Toman: "An act to amend Section 3767 of the Revised Codes of Montana, 1935, relating to Powder River Game Preserve."

By Busch: "An act to amend Section 459.1 of the Revised Codes of Montana, 1935, as last amended by Chapter 139 of the Session Laws of Montana of 1943, relating to the compensation of State officers and employees."

By Haight: "An act prohibiting the use, operation, keeping or maintenance of slot machines within the State of Montana; defining certain terms used in this act; providing penalties for the violation of this act and repealing Section Three of Chapter 153 of the Session Laws of Montana of 1937, and Chapter 142, Session Laws of Montana of 1945, and Chapter 285, Session Laws of Montana of 1947, and all other acts and parts of acts in conflict herewith."

By Doggett: "An act to amend Section 1262.53 of the Revised Codes of Montana, 1935, relating to the establishment of Junior High Schools."

By Mahoney: "An act relating to arrests by sheriffs and their deputies for violation of traffic laws occurring outside of the corporate limits of cities and towns: defining their powers and duties in relation to making such arrests and repealing all acts and parts of acts in conflict herewith."

By Aronson: "An act to amend Section 4465.8 of the Revised Codes of Montana, 1935, as amended by Chapter 238 of the Session Laws of Montana of 1947, relating to the jurisdiction and power of counties and county commissioners to erect, furnish and maintain a court house, jail, hospital, civic center, youth center, park buildings, museums, recreation centers, and any combination thereof, and such other public buildings as may be necessary, and providing for a commission to manage the same, and providing that the county hospital may be used for the care of the indigent sick, and providing when same may be used for hospitalization of non-indigent sick, and providing for furnishing and equipping buildings suitable for county hos-

pital purposes which may now be owned or which may hereafter be acquired by a county."

Respectfully,

C. J. McALLISTER,  
Secretary of the Senate

Moved by Loble, that the balance of the messages from the Senate be considered read at length and the Journal so show. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second time and referred to committees, the appropriation measure having been read at length:

House Bill No. 13, introduced by Hawks: A bill for an act entitled: "An act to amend Section 4568 of the Revised Codes of Montana, 1935, relating to library tax, by increasing tax therein provided to two mills." Referred to Committee on Townships and Counties.

House Bill No. 14, introduced by Dwyer: A bill for an act entitled: "An act providing for a veterans' credit in all examinations required by the State of Montana and defining the terms of this act as used herein, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Military Affairs.

House Bill No. 15, introduced by Haytin and Emmons: A bill for an act entitled: "An act providing for a license tax by cities and towns on trade stimulators including punch boards, pull cards, and similar devices; fixing the amount of such tax, prescribing the method of administration by cities and towns subsequent to passage and approval of a proper ordinance, the disposition of the revenue from said licenses, making violation a misdemeanor, providing penalties for the violation of this act and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 16, introduced by Haytin and Emmons: A bill for an act entitled: "An act authorizing and directing the Montana Liquor Control Board to charge and collect an excise tax on all liquor sold by it for the use and benefit of the counties, cities and towns of the State of Montana: and providing for the payment of said tax to the treasurers of the various counties of the state where said liquor is sold in state liquor stores, providing in addition that said tax shall be charged and collected on all liquor brought into the state and taxed by the Montana Liquor Control Board, requiring the County Clerk and Recorder in each county to file a certified statement of the number of registered voters in each incorporated city and town of the county and also the copy of the registration of the rural voters in the county based on the last registration with the Montana Liquor Control Board and file another copy with the Treasurer of their county." Referred to Committee on Affairs of Cities.

House Bill No. 17, introduced by Committee on Appropriations: A bill for an act entitled: "An act to reappropriate and appropriate money heretofore appropriated for the printing, binding and distribution of the Revised Codes of Montana of 1947." Referred to Committee on Appropriations.

House Bill No. 18, introduced by McElwain: A bill for an act entitled: "An act to amend Section 122, Revised Codes of Montana, 1935, as amended by Chapter 181, Laws of the Thirtieth Legislative Assembly, 1947, relating to Deputy State Officers, their duties, bonds, oath and appointment." Referred to Committee on State Boards and Offices.

House Bill No. 19, introduced by McElwain and Barnard: A bill for an act entitled: "An act to amend Section 6777 of the Revised Codes of Montana,

1935, relating to monuments and fences between coterminous owners of real estate; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 20, introduced by Hunter and Haytin: A bill for an act entitled: "An act to provide for cancelling and refunding income taxes paid by veterans of World War II from Montana under the provisions of Sections 2295.1 through Section 2295.34, Revised Codes of Montana, 1935, on money received from United States Government and making an appropriation therefore and repealing all acts and parts of acts in conflict therewith, and providing that this act shall be valid notwithstanding any provision of the budget act." Referred to Committee on Military Affairs.

House Bill No. 21, introduced by Duppler, Oliver and Howard: A bill for an act entitled: "An act prohibiting endurance races of more than five miles; providing a penalty; and repealing all acts in conflict." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 22, introduced by McCarthy, Loble, McKenna, Blenkner, Hoiness, McElwain, Dwyer, Ballard, Loughran, Tierney, Armstrong, Domke and Dokken: A bill for an act entitled: "An act providing for the repeal of Sections 2430, 2431, 2432, and 2433, of the Revised Codes of Montana, 1935, which said sections relate to the regulation of the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, china-ware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for, or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof." Referred to Committee on Judiciary.

House Bill No. 23, introduced by Tripp: A bill for an act entitled: "An act to amend Section 10400.4, Revised Codes of Montana, 1935, relating to inheritance tax exemptions providing for exemption from the first twenty-five thousand dollars of an estate all property transferred to corporations or voluntary associations organized solely for religious, charitable, educational, and other public purposes; providing this act retroactive and applicable to all estates of certain decedents." Referred to Committee on Judiciary.

Moved by Loble, that the House recess until 1:30 P. M. this day. Carried.

House resumed.

Mr. Speaker in the Chair.

### COMMUNICATIONS AND PETITIONS

Mr. Speaker asked the Clerk to read the Majority and Minority Reports of the last Session of the Legislature on Occupational Diseases with particular reference to silicosis, which report was read at length as follows:

Members of the Thirty-First Legislative Assembly,  
State of Montana,  
Helena, Montana.

Honored Sirs:

Your commission appointed to study occupational diseases in the State of Montana, pursuant to an act of the Thirtieth Legislative Assembly, 1947, Chapter 242, approved March 7, 1947, herewith reports its findings and conclusions.

Your commission held four meetings, three in Butte and one at the Galen Sanitarium.

After studying the report of a similar commission, made to Governor Ayers in January, 1939, and due to the fact that under the law now in effect, complete data as to all silicotics is now available, it was decided that public hearings such as held by the former commission would bring out practically no new facts. Therefore, the present commission unanimously decided that public hearings would be unnecessary, superfluous and create an unwarranted expense.

The efforts of this commission were therefore confined to the study of silicosis in Montana, as per instructions in the 1947 act, which specifically stated in Section 4 — "It shall be the duty of said commission to make a comprehensive and detailed survey of occupational diseases, with particular reference to silicosis, with a view to determine the extent to which such disease exists in Montana and the measures by which undesirable existing conditions can be remedied."

At the request of this commission, the State Department of Public Welfare compiled and presented three complete lists pertaining to silicosis benefits. One list contained the names of 626 men presently receiving silicosis benefits. A second compilation contained a list of those for whom silicosis benefits have been discontinued, and a third list contained the names of those to whom silicosis benefits were denied. Two of these lists gave a brief history, as to the birthdate, birthplace, places and dates of employment, dates of application and date of first pension payment, together with present employment, if any. The third list contained birthdate, birthplace, date of application for silicosis benefit and the reason why benefit was denied. All the lists were as of December, 1947.

An exhaustive and thorough study of the list of those receiving silicosis benefits was made by each member of the commission separately; and at the four meetings, a collective study of the facts was made and commented upon.

As a result of these studies we find that 94.63% of those presently receiving silicosis benefits are between the ages of 49 and 78; the largest group being from 59 to 63 years of age. In the group from 33 to 48 years, only 3.17% are receiving benefits. In the group from 79 to 93 years of age, only 2.20% are receiving benefits.

Following is the compilation from which the above figures were obtained:

Age Group	No. of Men	Percentage	
33 years to 38 years, inc. ....	1	.15%	} 3.17%
39 years to 43 years, inc. ....	5	.79%	
44 years to 48 years, inc. ....	14	2.23%	
49 years to 53 years, inc. ....	49	7.28%	
54 years to 58 years, inc. ....	107	17.12%	} 94.63%
59 years to 63 years, inc. ....	161	25.73%	
64 years to 68 years, inc. ....	152	24.28%	
69 years to 73 years, inc. ....	86	13.75%	
74 years to 78 years, inc. ....	37	5.93%	} 2.20%
79 years to 83 years, inc. ....	11	1.75%	
84 years to 88 years, inc. ....	2	.30%	
89 years to 93 years, inc. ....	1	.15%	
	626	100.00%	100.00%

From these figures it is clearly evident that the presence of silicosis is almost wholly confined to the 49 to 78 age group, which consists of the men who have been employed in the mines for many years, especially during those years before preventive measures were installed. These preventive measures are, specifically: wet drilling, sprinkling and efficient and adequate ventilation systems.



The factual figures further indicate that the age groups under 49 years have not contracted silicosis to any great extent. This warrants the belief that silicosis is definitely on the decline and no longer a menace in Montana.

In order to intelligently follow the case histories of those now, or in the future, receiving silicosis benefits, it was unanimously recommended:

That these individuals be re-examined at three-year intervals.

Respectfully submitted,

F. T. TERRILL, Chairman  
MIKE LACEY, Secretary  
CARL J. TRAUERMAN  
H. J. RAHILLY

### MINORITY REPORT

The dissenter concurs with the majority in their report except the last paragraph, which reads as follows:

"In order to intelligently follow the case histories of those now, or in the future, receiving silicosis benefits, it was unanimously recommended:

That these individuals be re-examined at three-year intervals."

Such an examination is not necessary and will cost the State \$7.50 for the expense of the X-Ray for each of the 626 men now receiving compensation plus the expense of the men travelling to Galen for the examination. The expense of travelling is usually taken care of by the county or welfare board. An X-Ray as proposed by the majority of the commission will not stop the disease or help the patient.

Let it be understood that to date there is no cure for silicosis, which is caused by silica dust in the lungs that produces a progressing fibrous condition of the lungs.

Once a person is a victim of silicosis, there can be no recovery, the disease develops continuously until the stricken one is unable to work.

### INDUSTRIAL HYGIENE

Most occupational diseases are caused by unsanitary conditions in factories, mines or work-shops, and by proper industrial hygiene conditions occupational diseases can be prevented.

The Montana legislature, when it enacted the silicosis law, also enacted an industrial hygiene law as a companion measure.

If the legislature wants to appropriate any money for the prevention of occupational diseases, it will be better to consider an appropriation for industrial hygiene, as one dollar spent to prevent occupational diseases is better than spending for a cure.

We have made progress in Montana in controlling silicosis. Let us continue the work of prevention.

JAMES D. GRAHAM.

Chairman requested that the foregoing report be mimeographed and placed on the desks of the members for the following day.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:



By Committee on Education: A bill for an act entitled: "An act providing 'transportation' services for all public school pupils residing two and one-half (2½) miles from an open public school; defining 'transportation' for the purposes of this act to include services furnished in lieu of transportation; designating who shall be eligible to receive 'transportation'; providing that pupils attending other than public schools may ride on a school bus; defining the term school bus, providing the requirements as to school busses, drivers, and the operation of busses, fixing the amount of liability insurance upon school busses; providing that school boards may close schools and transport pupils to another school, providing the procedure therefor and defining the duties of school boards and the county superintendents of schools in such cases; providing that no school money should be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and the filing of the same; providing schedule for transportation costs for computing State aid and schedules for paying for individual transportation or services in lieu of bus transportation; providing for reimbursement for the costs of transportation from state funds and the schedule of maximum expenses to be so reimbursed; providing that boards of trustees may require additional safety requirements for school busses; providing for quarterly reports to the Superintendent of Public Instruction; providing a fund for bus depreciation; repealing Chapter 152 of the Session Laws of Montana for 1941 as amended by Chapter 189 of the Session Laws of Montana for 1943, as amended by Chapter 116 of the Session Laws of Montana for 1945, and as last amended by Chapter 169 of the Session Laws of Montana for 1947, together with all acts and parts of acts in conflict herewith."

By Clark (Silver Bow) and Rostad: A bill for an act entitled: "An act pertaining to financial responsibility of operators and owners of motor vehicles; defining terms; providing for administration; providing for report of operating record; requiring reports of accidents; requiring security or evidence of insurance; exceptions to requirement of security; providing for suspension of license and duration thereof; providing for non-residents, unlicensed drivers and unregistered motor vehicles; defining form and amount of security; providing for custody and disposition of security; providing for matters not be to used as evidence in civil suits; providing for courts to report non-payment of judgments and convictions; providing for suspension for non-payment of judgments; providing for payments sufficient to satisfy requirements; providing for installment payment of judgment; providing for proof required for certain convictions; providing for alternate method of giving proof of financial responsibility; providing for certificate of insurance as proof; providing for certificate furnished by non-resident as proof; defining a motor vehicle liability policy; providing for notice of cancellation or termination of certified policy; providing for bonds as proof of financial responsibility; providing moneys or securities as proof of financial responsibility; permitting owner to give proof for others; substitution of proof of financial responsibility; providing for other proof which may be required; defining duration of proof and providing when proof may be cancelled or returned; prohibiting transfer of registration to defeat purpose of act; providing for surrender of license and providing for certain exceptions; providing for and defining self-insurers; providing for the past application of act; providing for penalties in violation hereof; and repealing Chapter 129 of the Twenty-fifth Legislative Assembly, and Chapter 213 of the Thirtieth Legislative Assembly."

By Committee on Education: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment of Section 6 of Article XI of the Constitution of the State of Montana relating to the maintenance of a public, free common school in each organized district of the State."

By Holding and Mulronev: A bill for an act entitled: "An act to amend Section 2430 of the Revised Codes of Montana of 1935 relating to licenses

required for furnishing premiums or bonuses for sale of merchandise, and to repeal all acts and parts of acts in conflict herewith."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 17, respectfully report as follows:

That House Bill No. 17 do pass.

DUNCAN, Chairman,  
Appropriation Committee.

Report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second time at length and referred to Committee on Judiciary:

House Bill No. 24, introduced by Loble and Bricker: A bill for an act entitled: "An act creating a commission to study the tax structure of Montana, prescribing its duties and authority, providing for its compensation and expenses connected therewith, and appropriating a fund therefor."

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

A bill for an act entitled: "An act providing educational opportunities for the children of members of the Armed Forces of the United States who were killed in action, died during World War II or subsequent thereto as a result of service-incurred disabilities; providing for an appropriation therefor." — Domke, Burns, Loble, Armstrong and Martin.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 7, respectfully report as follows:

That House Bill No. 7 do pass.

BURNS, Chairman.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Joint Memorial No. 1, respectfully report as follows:

That House Joint Memorial No. 1 do pass.

HELDING, Chairman.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 3, respectfully report as follows:

That House Bill No. 3 do pass.

HELDING, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 17, respectfully report as follows:

That House Bill No. 17 do pass.

DUNCAN, Chairman,  
Appropriation Committee.

Moved by Loble, that the House adjourn until 10:30 A. M. January 12, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TENTH DAY

House of Representatives,  
Helena, Montana,  
January 12, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner and Gunderson, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Ninth Legislative Day and find same correct.

HOLTZ, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow, or some subsequent day, introduce the following:

A bill for an act entitled: "An act to appropriate money for the payment of assessments, penalty, and interest on delinquent assessments on certain State lands in the Bynum irrigation district, Teton county, Montana." — Standish.

A bill for an act entitled: "An act to amend Section 1805.25 of the Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207 of the Montana Session Laws, 1945, and by Section 3 of Chapter 254, of the Montana Session Laws, 1947, providing for an increase in the rental rate of State lands." — Culbertson.

## COMMUNICATIONS FROM THE GOVERNOR

January 10, 1949.

Hon. Leo C. Graybill,  
Speaker of the House.

Mr. Speaker:

Permission is hereby granted to those House Committees so desiring, and where more spacious quarters are required, to utilize the Governor's Reception Room for public hearings on any bills which may arise requiring such hearings.

Scheduling of such hearings are left to the discretion of the Speaker.

JOHN W. BONNER, Governor.

## COMMUNICATIONS FROM THE SENATE

Moved by Loble, that the Communications from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 25, introduced by Westlake, McKenna and Wiedman: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to Section 5, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness or liability of a county without the approval of a majority of the electors thereof." Referred to Committee on Townships and Counties.

House Bill No. 26, introduced by MacDonald: A bill for an act entitled: "An act to amend Section 4464, Revised Codes of Montana, 1935, as amended by Chapter 176, Session Laws of 1939, relating to compensation and mileage of county commissioners." Referred to Committee on Townships and Counties.

House Bill No. 27, introduced by Holding and Mulroney: A bill for an act entitled: "An act to amend Section 2430 of the Revised Codes of Montana of 1935, relating to licenses required for furnishing premiums or bonuses for sale of merchandise." Referred to Committee on Judiciary.

House Bill No. 28, introduced by Committee on Workman's Compensation: A bill for an act entitled: "An act to amend Sections 2912, 2913, 2914 and 2915 of the Revised Codes of Montana of 1935, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, and to amend Section 2918 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, and to amend Section 2920 of the Revised Codes of Montana of 1935, as amended by Chapter 213 of the Session Laws of the State of Montana of 1945, as amended by Chapter 230 of the Session Laws of the State of Montana of 1947, all relating to compensation for injuries to workmen by increasing compensation in cases of: Temporary, total, and total partial disabilities, for injuries causing death, and date from which compensation is to be paid in case of death, and for specified injuries." Referred to Committee on Workmen's Compensation.

House Bill No. 29, introduced by Clark of Silver Bow and Rostad: A bill for an act entitled: "An act pertaining to financial responsibility of operators and owners of motor vehicles; defining terms; providing for administration; providing for report of operating record; requiring reports of accidents; requiring security or evidence of insurance; exceptions to requirement of security; providing for suspension of license and duration thereof; providing for non-residents, unlicensed drivers and unregistered motor vehicles; defining form and amount of security; providing for custody and disposition of security; providing for matters not to be used as evidence in civil suits; providing for courts to report non-payment of judgments and convictions; providing for suspension for non-payment of judgments; providing for payments sufficient to satisfy requirements; providing for installment payment of judgment; providing for proof required for certain convictions; providing for alternate method of giving proof of financial responsibility; providing for certificate of insurance as proof; providing for certificate furnished by non-resident as proof; defining a motor vehicle liability policy; providing for notice of cancellation or termination of certified policy; providing for bonds as proof of financial responsibility; providing moneys or securities as proof of financial responsibility; permitting owner to give proof for others; substitution of proof of financial responsibility; providing for other proof which may be required; defining duration of proof and providing when proof may be cancelled or returned; prohibiting transfer of registration to defeat purpose of act; providing for surrender of license and providing for certain exceptions; providing for and



defining self-insurers; providing for the past application of act; providing for penalties in violation hereof; and repealing Chapter 129 of the Twenty-fifth Legislative Assembly, and Chapter 213 of the Thirtieth Legislative Assembly." Referred to Committee on Insurance.

Moved by Loble, that the House recess until 1:30 P. M. this date. Carried.

House resumed.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Esp and Scofield: A bill for an act entitled: "An act to appropriate \$50,000.00 for the equipping of the veterinary research laboratory at the Montana Agricultural Experiment Station and for necessary improvements."

By Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 5653 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of Montana, 1937, and by Chapter 160 of the Session Laws of Montana, 1943, and by Chapter 223 of the Session Laws of Montana, 1947, providing for preference in employment of honorably discharged men and women from service in wars in which the United States is or has been involved, in every public department, and upon all public works of the State of Montana, and of any county and city thereof, and providing that when written or oral examinations are required disabled veterans shall be given a credit of ten (10) points and all other veterans shall be given a credit of five (5) points in the marking of their examination papers, and repealing all acts and parts of acts in conflict herewith." — Burns, Chairman.

By Harlow, Tripp, O'Neil, Holding, Karlberg and Harken: A bill for an act entitled: "An act relating to the legislature creating and establishing a legislative council from the members thereof; providing for their selection, terms, powers, duties, rules, findings and reports, and regulating the functions, expenditures and other activities of said council and making appropriation therefor."

By Domke and Loble: A bill for an act entitled: "An act relating to the licensing of 'juke boxes', or other coin-operated mechanical or electrical musical device; fixing the amount of such license fee; prescribing the method of administration by the State Board of Equalization; defining the terms used herein; providing penalties for the violation of this act; making an appropriation to carry out the provisions of this act, and repealing all acts and parts of acts in conflict herewith."

By Aronow and Mulroney: A bill for an act entitled: "An act providing that all contracts, except oral contracts and contracts written by hand, shall be void unless printed in type not smaller than 7 point."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend:

That the following named persons be employed in the status indicated:

George W. Smith from Door Keeper to Mailing and Filing Clerk.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, respectfully recommend:



That the status of the following employees be changed as of January 12, 1949:

Tom Allen from Proof Reader to Door Keeper.

We do further recommend:

That the following be employed as of January 12, 1949:

#### PROOF READER

Roger S. Murray

#### STENOGRAPHERS

Naomi W. Lockhart

Alice M. Amundson

Peggy Lou Mitchke

Mrs. E. M. Andrew

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mileage and Per diem, have had under consideration House Bill No. 5, respectfully report as follows:

That House Bill No. 5 do not pass.

WESTLAKE, Chairman.

Report adopted.

Moved by Oliver, as a substitute motion that the bill be printed and placed on General Orders.

On placing the substitute motion before the House, motion was killed.

On placing the motion of Westlake that the report of the committee be adopted, Ayes carried.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 20, respectfully report as follows:

That House Bill No. 20 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 14, respectfully report as follows:

That House Bill No. 14 do pass.

BURNS, Chairman.

Report adopted.

#### INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 30, introduced by Committee on Education: A bill for an act entitled: "An act to amend Sections 1, 4, 5, 6, 8 and 12 of Chapter 87 of the Laws of 1937, as amended by Chapters 202 and 215 of the Laws of 1939, and Chapters 15 and 137 of the Laws of 1945, relating to the Teachers' retirement system of the State of Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

Moved by Loble, that the House adjourn until 11 A. M. January 13, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## ELEVENTH DAY

House of Representatives,  
Helena, Montana,  
January 13, 1949.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all were present except Gunderson, Aronow, Clark (Musselshell), and Phillips, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Tenth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills No. 3, 7 and 17 have been correctly printed.

O'NEILL, Chairman.

## COMMUNICATIONS AND PETITIONS

Moved by Loble, that the Report of Commission to the Governor and the Thirty-first Legislative Session to make a study of Juvenile Delinquents and Delinquency in the State of Montana, be considered read at length and the Journal so show. Carried.

"Report of Commission to the Governor and the Thirty-first Legislative Session of the State of Montana to Make a Study of Juvenile Delinquents and Delinquency in the State of Montana, as Provided in Chapter 77 of the 1947 Session Laws":

"The commission appointed by Governor Sam C. Ford on the 19th day of January, 1948, consisting of the following members, to-wit:

Honorable C. F. Holt, Great Falls.  
Deane Bailey, Great Falls.  
Honorable A. J. Horsky, Helena.  
Senator Ellenore M. Bridenstine, Missoula.  
Honorable J. C. Toole, Shelby.  
Mrs. Jane Bailey, Great Falls.  
Rev. L. B. Whitman, Helena.

beg to submit our report as follows:

"Your foregoing commission which was appointed on the 19th day of January, 1948, and which organized, met for the first time several months thereafter, has held two meetings. The Chairman and Secretary, as well as other members, in between times, have worked on the assignment.

"As the legislature did not appropriate funds of any kind the members' traveling, hotel, and the expenses of conducting our investigation was paid by each member, with the exception of One Hundred (\$100.00) Dollars donated by the State Aerie of the Fraternal Order of Eagles for postage, stationery, and some clerical expense. Therefore, little, if anything, should be expected of this commission on such a tremendous and vital assignment. However, each member has spent considerable time, as well as their own money, attending meetings, gathering data, resulting in the following recommendations:

"We recommend that Parent-Teachers Associations, schools, civic and religious organizations redouble their efforts to enlighten and advise parents in regard to the best method of guiding, governing and bringing up their children.

"We recommend that consideration be given by the coming Legislative Assembly regarding the advisability of appointing additional Juvenile Officers and District Court Judges to handle only juvenile and domestic relation matters.

"We recommend that the law enforcing agencies, prosecuting officers, and citizens of the State of Montana redouble their efforts to see that the state liquor law in regard to giving intoxicants to juveniles and to entering beer halls, be enforced. That all such agencies and citizens do their utmost to see that every violator of our juvenile liquor laws be prosecuted, and that if any parents are permitting or contributing to such violation in regard to their children that they, likewise, be prosecuted.

"We recommend that the Montana State Board of Education study the Oregon Plan of Visual Sexual Education taught by a film produced and financed by the school system of the State of Oregon, and that if the Montana State Board of Education approves of it, and feels it is advisable to put a similar plan in effect in Montana, that it shall be given the authority and finances necessary to carry out this program. That if a copy of said film can be borrowed or otherwise obtained, that the same be shown to the State Board of Education, this committee and the members of the next State legislature as early as possible during the coming Session.

"We recommend that the Montana State Board of Education investigate the advisability of a more extensive and broad recreational program which can be participated in by all children, and also of the creation of a branch of such recreational department that will encourage and promote hobbies among our school youths.

"We recommend that traffic laws be amended so that the enforcing officers of the cities and State shall have power to control juveniles in their operation of said vehicles, and their parents made responsible for torts in regard to same.

"We recommend that a school for vocational training be established in Montana for boys and girls who are not capable of taking regular school courses, who could profit by training in some special trade or craft.

"We recommend that this commission be continued and given a reasonable appropriation not only for its own expenses but such as may be deemed necessary to make a proper survey of the tremendous and vital problem covered by its assignment. We feel that the commission, if properly financed, should carefully investigate, obtain data, and make surveys on the following questions:

1. The Delinquent and Pre-Delinquent: Their numbers, ages, sex, and distribution in Montana; their scholastic and social groups, and the nature of their involvement with the law.

2. Their Problems and Individual Needs: Such items as mental defectiveness, parental neglect, bad companionship, and emotional insecurity, etc., and such needs as foster home and institutional placement, employment, special education, medical care and probationary supervision.

3. Programs and Surveys Needed: To deal with juvenile delinquency successfully in Montana would be to maintain or create the ways and means of doing a great variety of things either under private or public auspices, and these should be investigated.

4. Available Resources: In the light of ascertaining needs, the services and facilities already available should be evaluated in an endeavor to discover the difference between what we have and what we need.

5. The Means of Implementation: What laws, funds, organizations, personnel and facilities will be required to effect an adequate program for treating and preventing delinquency must be formulated and the policies

and relationships which should be obtained for the various departments, agencies and groups involved must be ascertained.

"We commend the Montana State Board of Education and the State Department of Education for having created a counselling and guidance program for the schools of our State and recommending the program to continue and develop.

"We recommend that the laws of the State of Montana, if necessary, be amended to make parents liable and responsible in damages for the torts of their minor children."

Respectfully submitted,

STATE JUVENILE AND DELINQUENCY  
COMMISSION.

Signed:

C. F. Holt  
Deane Bailey  
A. J. Horsky

Ellenore Bridenstine  
Jane Bailey  
L. B. Whitman

J. C. Toole

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following:

By Tripp, Taber, Tierney, McCarthy, Feley, Jarussi, Mernin, Gunder-son, Holding, Barnard and Karlberg: A bill for an act entitled: "An act to amend Section 10957, Revised Codes of Montana, 1935, and repealing Sections 12093, 12094, 12101, 12102, 12103 and 12104, Revised Codes of Montana, 1935, all relating to punishment for murder, and all other acts and parts of acts in conflict herewith."

By Emmons and Smith: A bill for an act entitled: "An act relating to salary and small installment loans; providing for regulating licensing persons and others making loans of money less than Three Hundred Dollars (\$300.00); providing maximum rate of interest to be charged; providing for supervision by the Superintendent of Banks of the State of Montana; providing for filing of monthly statements with said State Superintendent of Banks; providing other matters pertaining to such loans; providing for recovery for overcharges; providing for cancellation of licenses, and repealing all acts in conflict."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 30, respectfully report as follows:

That House Bill No. 30 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 19, respectfully report as follows:

That House Bill No. 19 do pass.

HARKEN, Chairman.

Report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR

Special Message of the Governor to the Thirty-first Legislative Assembly of the State of Montana:

The Industrial Accident Board of the State of Montana is an important board, entrusted with the protection of those injured in industry, their dependents and survivors. It operates under three plans, known as Plan No. 1, Plan No. 2, and Plan No. 3. Plan No. 1 is commonly known as self-insurance; Plan No. 2 is insurance through an insurance company authorized to transact business in the State; Plan No. 3 is State insurance. This message is concerned only with Plan No. 3.

Many employers avail themselves of Plan No. 3, and my attention has been directed to a matter of grave importance concerning Plan No. 3, State insurance, and legislation that, in my considered judgment, is necessary to conform to business practices, and the protection of the funds of Plan No. 3.

Under the Constitution of the State of Montana, Article 12, Section 14, the Governor, the State Auditor, and the State Treasurer constitute the depository board for the funds of the State of Montana, for the deposit and investment of State funds. Section 182, Revised Codes of Montana, 1935, provides the procedure for the deposit of State funds, and the making of investments of State funds, and enumerates the classes of investments permitted to be made. With the exception of the Industrial Accident Board, I am aware of no other board that makes its own investments and keeps in its own portfolio or safety deposit box its securities. It is my firm conviction that this should not be done, and that such securities should be in the possession of the State Treasurer. The State Treasurer is, by law, under a heavy bond, in excess of \$200,000.00, whereas the Treasurer of the Industrial Accident Board (a member of the board) is bonded only in the sum of \$50,000.00. The Industrial Accident Fund, at the last report, dated December 31, 1947, had invested \$3,621,729.79, which securities should be in the possession of the State Treasurer, and not in the possession of the Industrial Accident Board. The Industrial Accident Board invests the funds to which the injured, widows and orphans must look for compensation, and the law should be so changed that these securities of the board be invested as the Constitution provides, under the direction of the depository board, and these securities should be in the possession of the State Treasurer and not in the possession of the board, as is the case now.

I need not point out the hazards involved under existing procedure, and its being in conflict with Constitutional mandate. Aside from the Constitutional requirement, it is not good business for the Industrial Accident Board to make its own investments. A depletion of the funds could only be remedied by increased rates on compensation or the purchase of investments that yield a high rate of interest—investments that might well be hazardous. I am advised that there are some securities of the Industrial Accident Board of doubtful value. This is in part due to the fact that Section 3000, Revised Codes of Montana, 1935, allows the board unlimited power to invest in any security it may approve. This is contrary to the policy of the State, and in direct conflict with the limits of the type of investments provided by Section 182, referred to above.

For a board to both expend its funds and make its own investments is not in keeping with the policy of our law.

In addition to the foregoing, the board maintains its own current funds in a local bank—deposits seldom less than \$50,000.00. At intervals the board remits to the State Treasurer by check. The law, Section 2990, Revised Codes of Montana, 1935, requires that money paid to the board, under Plan No. 3, should be paid to the State Treasurer, and the practice of the board, keeping a separate checking account and then remitting to the State Treasurer, should not be further permitted, unless by legislative act.

To the end that you may know the condition of all funds, I have directed the State Bank Examiners to audit the affairs of the Industrial Accident Board, and that audit is now in progress. Any independent inquiry by the Legislative Assembly of the affairs of the Industrial Accident Board meets with my wholehearted approval.



It is my considered judgment that the complexion of the Industrial Accident Board should be changed. The State Treasurer is a logical member of the board and he should be the treasurer of the Industrial Accident Board instead of the State Auditor and I so recommend. As a matter of fact, Section 192, Revised Codes of Montana, 1935, requires that the State Treasurer be designated the treasurer of each and every State board. So far as I am able to learn, he is the treasurer of each and every State board with the exception of the Industrial Accident Board.

The Constitution of the State of Montana, Article 7, Section 7, provides that appointments by the Governor should be by and with the consent of the Senate. This procedure has not heretofore been followed in connection with the appointive member of the Industrial Accident Board, who becomes its chairman. I believe the appointment mentioned above should be by and with the consent of the Senate. In order to avoid confusion legislation should be passed, in my opinion, making it plain that an appointment of a chairman of the Industrial Accident Board by the Governor will be by and with the consent of the Senate in conformity with the Constitutional provision heretofore cited.

I recommend that appropriate legislation be enacted in furtherance of this message."

JOHN W. BONNER,  
Governor.

The following letter of transmittal accompanied the foregoing message:

The Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to submit the enclosed Special Message to the Thirty-first Legislative Assembly of the State of Montana relating to the Industrial Accident Board.

JOHN W. BONNER,  
Governor.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the messages from the Senate be considered read at length and the Journal so show. Carried.

#### MOTIONS AND RESOLUTIONS

Moved by Anderson of Phillips, that House Bill No. 3 be taken from General Orders and referred to Committee on Constitutional Amendments. Motion carried.

Moved by Burns of Flathead, that House Bill No. 4 be taken from the Committee on Military Affairs and re-referred to Committee on Constitutional Amendments. Motion carried.

#### INTRODUCTION OF BILLS

The following bills and memorials were read first and second time, the appropriations measures being read at length, and referred to the following committees:

House Bill No. 31 introduced by Committee on Education: A bill for an act entitled: "An act providing 'transportation' service for all public school pupils residing two and one-half (2½) miles from an open public school; defining 'transportation' for the purposes of this act to include services furnished in lieu of transportation; designating who shall be eligible to receive 'transportation'; providing that pupils attending other than

public schools may ride on a school bus; defining the term school bus, providing the requirements as to school busses, drivers, and the operation of busses, fixing the amount of liability insurance upon school busses; providing that school boards may close schools and transport pupils to another school, providing the procedure therefor and defining the duties of school boards and the county superintendents of schools in such cases; providing that no school money should be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and the filing of the same; providing schedule for transportation costs for computing state aid and schedules for paying for individual transportation or services in lieu of bus transportation; providing for reimbursement for the costs of transportation from State funds and the schedule of maximum expenses to be so reimbursed; providing that boards of trustees may require additional safety requirements for school busses; providing for quarterly reports to the Superintendent of Public Instruction; providing a fund for bus depreciation; repealing Chapter 152 of the Session Laws of Montana for 1941 as amended by Chapter 189 of the Session Laws of Montana for 1943, as amended by Chapter 116 of the Session Laws of Montana for 1945, and as last amended by Chapter 169 of the Session Laws of Montana for 1947, together with all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 32 introduced by Harlow, Tripp, O'Neil, Holding, Karlberg and Harken: A bill for an act entitled: "An act relating to the legislature creating and establishing a legislative council from the members thereof; providing for their selection, terms, powers, duties, rules, findings and reports, and regulating the functions, expenditures and other activities of said council and making appropriation therefor." Referred to Committee on Judiciary.

House Bill No. 33 introduced by Aronow and Mulroney: A bill for an act entitled: "An act providing that all contracts, except oral contracts and contracts written by hand, shall be void unless printed in type not smaller than 7 point." Referred to Committee on Judiciary.

House Bill No. 34 introduced by Committee on Education: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment of Section 6 of Article XI of the Constitution of the State of Montana relating to the maintenance of a public, free common school in each organized district of the State." Referred to Constitutional Amendments.

House Bill No. 35 introduced by Domke, Burns, Armstrong, Loble and Martin: A bill for an act entitled: "An act providing educational opportunities for the children of members of the Armed Forces of the United States who were killed in action, died during World War II or subsequent thereto as a result of service-incurred disabilities; providing for an appropriation therefore." Referred to Committee on Military Affairs.

House Bill No. 36 introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.25 of the Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207, of the Montana Session Laws, 1945, and by Section 3 of Chapter 254, of the Montana Session Laws, 1947, providing for an increase in the rental rate of State lands." Referred to Committee on State Lands.

House Bill No. 37 introduced by Domke and Loble: A bill for an act entitled: "An act relating to the licensing of 'juke boxes,' or other coin operated mechanical or electrical musical device; fixing the amount of such license fee; prescribing the method of administration by the State Board of Equalization; defining the terms used herein; providing penalties for the violation of this act; making an appropriation to carry out the provisions of this act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 28, respectfully report as follows:

That House Bill No. 28 do pass.

EMMONS, Chairman.

Report adopted.

It was moved by Loble, that the House recess until 1:30 P. M. this day. Carried.

House resumed.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following:

By Laas and Smith: A bill for an act entitled: "An act to amend Section 2736.7 of Chapter 248, Revised Codes of Montana, 1935, by prohibiting the operation of aircraft in such a manner as to endanger the life or property of others."

By Jarussi and Cunningham: A bill for an act entitled: "An act to amend Section 5130 of the Revised Codes of Montana, 1935, relating to reports, books and accounts of fire department relief associations and examination thereof, to provide fixed fees for such examination."

By Foley and Dwyer: A bill for an act entitled: "An act to prohibit the giving, promising or offering or the causing to be given, promised, or offered to any participant or to any person expecting to participate in any professional or amateur sport, contest, baseball, football, hockey, basketball, boxing, tennis or polo game, or to any employee, steward, trainer, judge, starter, policeman, manager or coach, any valuable thing with intent to influence the losing or limit the margin of victory or attempt to influence the losing or limiting the margin of victory of any such professional or amateur game, sport, or contest, or the soliciting or acceptance of any valuable thing therefor; providing a penalty therefore; and repealing all acts and parts of acts in conflict herewith."

By Nixon, Laas, Frerich and Tripp: House Joint Memorial entitled: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Honorable Charles F. Brannan, Secretary of Agriculture; Honorable J. A. Krug, Secretary of the Interior; Honorable James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, Representatives from Montana, for an Act of Congress or such other authority as may be necessary to allow veterans of World War II just concluded, to acquire submarginal lands from the Department of Agriculture or the Department of the Interior which have been acquired under an Act of Congress dated June 29, 1934, known as Chapter 865 (48 Stat. 1265-1275) and an Act of Congress dated July 22, 1937, known as Chapter 517, Title III, Section 32 (50 Stat. 525-526).

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 6, respectfully report as follows:

That House Bill No. 6 do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities, and Reforms, having had under consideration House Bill No. 21, respectfully report as follows:

That House Bill No. 21 do pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 25, respectfully report as follows:

That House Bill No. 25 be referred to the Committee on Constitutional Amendments.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 26, respectfully report as follows:

That House Bill No. 26 do pass.

BECK, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Motion by Loble. Mr. Speaker, I move as follows:

That the Speaker of the House be empowered to appoint a special committee from the members of this House, not to exceed five in number, for the purpose of investigating, and that it do investigate, the Montana Liquor Control Board, its officers and employees, and its and their business administration practices and activities.

That said committee shall organize and be given all necessary facilities of the House as to rooms, equipment, clerical and other assistance; that said committee shall keep a complete record of its proceedings and render to the House a full report of its findings and recommendations at such time or times as it may deem proper, and shall not later than the 45th Legislative Day submit its final report.

That said committee be authorized and empowered to hold hearings, to require the attendance of any and all witnesses necessary to the performance of its duties, and through its chairman, to issue subpoenas to require the attendance of any person or persons to testify under oath, and to procure for examination by said committee any books, papers and other documentary evidence of any nature or character under the control of such person or persons or elsewhere, and to require the sheriff of any county of the State of Montana to serve subpoenas issued by it.

That said committee be authorized and empowered to employ necessary aid in ascertaining the facts, and to incur such expenses as may be necessary to properly make such investigation, and, in its discretion employ legal counsel and accountants, and that all items of expense be returned by said committee with its report, and that said expenses be paid out of the legislative appropriation for the 31st Legislative Assembly by warrant drawn by the Auditor upon claims duly approved by the Speaker of the House.

Motion carried.

The Speaker announced that on tomorrow he would name the members of the above committee.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second time, appropriations measures read at length, and referred to the following committees:

House Bill No. 38 introduced by Esp and Scofield: A bill for an act entitled: "An act to appropriate \$50,000.00 for the equipping of the veter-



inary research laboratory at the Montana Agricultural Experiment Station and for necessary improvements." Referred to Committee on Livestock and Public Ranges.

House Bill No. 39 introduced by Standish: A bill for an act entitled: "An act to appropriate money for the payment of assessments, penalty, and interest on delinquent assessments on certain State lands in the Bynum irrigation district, Teton County, Montana." Referred to Committee on State Lands.

House Bill No. 40 introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 5653 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of Montana, 1937, and by Chapter 160 of the Session Laws of Montana, 1943, and by Chapter 223 of the Session Laws of Montana, 1947, providing for preference in employment of honorably discharged men and women from service in wars in which the United States is or has been involved, in every public department, and upon all public works of the State of Montana, and of any county and city thereof, and providing that when written or oral examinations are required disabled veterans shall be given a credit of ten (10) points and all other veterans shall be given a credit of five (5) points in the marking of their examination papers, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Military Affairs.

Moved by Loble, that the House adjourn until 10:30 A. M. Friday, January 14, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TWELFTH DAY

House of Representatives,  
Helena, Montana,  
January 14, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aronow, Blenkner, Clark (Musselshell), Hoiness, Jensen, Phillips, Smith and Anderson (Hill), excused, and Michels, absent.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Eleventh Legislative Day, and find same correct.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 14, 20 and House Joint Memorial No. 1 have been returned correctly printed.

O'NEIL, Chairman.

Report adopted.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Appropriations, Duncan, Chairman: A bill for an act



entitled: "An act to appropriate money from the Hail Insurance Administrative Fund of the State of Montana for the purpose of maintenance and operation of the State Board of Hail Insurance for the year ending June 30, 1949, the appropriation made by the Thirtieth Legislative Assembly having been found to be insufficient."

By Page (Granite): A bill for an act entitled: "An act to amend Section 8 of Chapter 289, Laws of the Thirtieth Legislative Assembly, 1947, relating to discount allowed on purchase of stamps, and repealing all acts in conflict."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 3

A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section one (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the separation of the Bureau of Labor and Industry from the Bureau of Agriculture."

And recommend that House Bill No. 3 be amended as follows:

That Section 3 read:

"Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐ For the amendment.

☐ Against the amendment.

"Each elector shall designate his preference by marking an 'X' in the square before the proposition for which such elector desires to vote." respectfully report as follows:

That House Bill No. 3 as amended do pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

### TYPISTS

Julia E. Rigler  
Marie Parker

Rose M. Anderson  
Leona Ceserani

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the status of the following employees be changed as of this date:

Alice M. Amundson from Stenographer to Typist.

Agnes Lofgren from Stenographer to Typist.

Mae Cottrill from Stenographer to Typist.

Betty Mae De Wolf from Stenographer to Typist.

Mr. Speaker: We, your Committee on Employment, respectfully request that John A. Nelson be approved and receive salary for four days' employment as Doorkeeper.

HESS, Chairman.

Report adopted.

## MESSAGES FROM THE SENATE

Moved by Loble, that the messages from the Senate be considered read at length and the Journal so show. Carried.

## MOTIONS AND RESOLUTIONS

Moved by Loble, that the Speaker of the House be empowered to appoint a special committee from the members of this House, not to exceed seven in number, for the purpose of investigating, and that it do investigate, duplications and overlapping of functions and duties in our State and subordinate governmental units, to the end that such duplication and overlapping may be eliminated in the interest of efficiency and economy;

That said committee shall organize and be given all necessary facilities of the House as to rooms, equipment, clerical and other assistance; that said committee shall keep a record of its proceedings and render to the House a full report of its findings and recommendations at such time or times as it may deem proper, and shall not later than the 33rd Legislative Day submit its final report;

That said committee be authorized and empowered to hold hearings, to require the attendance of any and all witnesses necessary to the performance of its duties, and through its chairman, to issue subpoenas to require the attendance of any person or persons to testify under oath, and to procure for examination by said committee any books, papers, records and other documentary evidence deemed helpful in said investigation;

That said committee be authorized and empowered to employ necessary personnel to aid in ascertaining the facts, and to incur such expenses as may be necessary to properly make such investigation, such expenses not to exceed \$300.00, and that all items of expense be returned by said committee with its report, and that said expenses be paid out of the legislative appropriation for the 31st Legislative Assembly by warrant drawn by the Auditor upon claims duly approved by the Speaker of the House. Motion carried.

## APPOINTMENT OF SELECT COMMITTEES

The Speaker named the following members to special committees:

Committee on Liquor Investigation: McKenna, Chairman; Tierney, Vice Chairman; Michels, Corcoran, Standish.

Committee on Duplication of State Boards and Offices: Barnard, Chairman; O'Neil, Vice Chairman; Dwyer, Koch, McElwain, Ganson, Hawks.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 41, introduced by Foley and Dwyer: A bill for an act entitled: "An act to prohibit the giving, promising or offering or the causing to be given, promised, or offered to any participant or to any person expecting to participate in any professional or amateur sport, contest, baseball, football, hockey, basketball, boxing, tennis or polo game, or to any employee, steward, trainer, judge, starter, policeman, manager or coach, any valuable thing with intent to influence the losing or limiting the margin of victory of any such professional or amateur game, sport, or contest, or the soliciting or acceptance of any valuable thing therefor; providing a penalty therefore; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 42 introduced by Tripp, Taber, Tierney, McCarthy, Foley, Jarussi, Mernin, Gunderson, Holding, Barnard and Karlberg: A bill for an act entitled: "An act to amend Section 10957, Revised Codes of Montana, 1935, and repealing Sections 12093, 12094, 12101, 12102, 12103 and 12104, Revised Codes of Montana, 1935, all relating to punishment for murder, and all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous seating.

Mr. Speaker appointed Scofield of Powder River to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 17 do pass.

That House Bill No. 14 do pass.

That House Joint Memorial No. 1 do pass.

We further recommend that the following bills be re-referred to the following committees:

House Bill No. 20 be re-referred to the Committee on Appropriations.

House Bill No. 7 be re-referred to the Committee on Military Affairs.

SCOFIELD, Chairman.

Report adopted.

Moved by Loble, that the House recess until 1:00 P. M. this day.

House resumed.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Oliver: A bill for an act entitled: "An act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana of 1935, as amended by Sections 1 and 2, Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, 1941, as amended by Sections 1 and 2, Chapter 201 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to mileage for members of the Legislative Assembly, State officers, county officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage when using their own automobiles in the performance of official duties."

By Trout, Harlow, Gunderson, Emmons, Loble, Holding and Peterson: A bill for an act entitled: "An act to amend Section 6577 of the Revised Codes of Montana, 1935, relating to the size and equipment of all caboose cars used and operated by any railroad or railway in the State of Montana; providing for the time in which said act becomes effective and repealing all acts and parts of acts in conflict herewith."

By Domke, Loughran, Harken, Cunningham, Hall, Dokken, Pierce, and Standish: A bill for an act entitled: "An act relating to the creation and

establishment of a State board to be known as the Montana Economic Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for a supplemental appropriation for money out of the State treasury not otherwise appropriated for the purposes in this act expressed; giving authority to said board to contract."

By Harlow: A bill for an act entitled: "An act to amend Chapter 140, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Chapter 188, of the Thirtieth Legislative Assembly of 1947, relating to establishment of adult education schools; providing for a tax levy for the support and maintenance thereof, and repealing all acts and parts of acts in conflict herewith."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 40, respectfully report as follows:

That House Bill No. 40 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 35, respectfully report as follows:

That House Bill No. 35 do pass.

BURNS, Chairman.

Report adopted.

### INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 43 introduced by Jarussi and Cunningham: A bill for an act entitled: "An act to amend Section 5130 of the Revised Codes of Montana, 1935, relating to reports, books and accounts of fire department relief associations and examination thereof, to provide fixed fees for such examination." Referred to Committee on Affairs of Cities.

House Bill No. 44 introduced by McCarthy, Tierney, Burns, Mernin, Emmons, Holding and Dusak: A bill for an act entitled: "An act creating the Old Age Assistance Commission; providing for an Old Age Assistance Board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an Old Age Assistance Fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; making applicable existing provisions of Chapter 82, Laws of Twenty-fifth Legislative Assembly and of part of III of said Chapter 82, and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens of the State of Montana, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Joint Memorial No. 2 introduced by Nixon, Laas, Frerich and Tripp: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Honorable Charles F. Brannan, Secretary of Agricul-

ture, Honorable J. A. Krug, Secretary of the Interior, Honorable James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, Representatives from Montana, for an Act of Congress or such other authority as may be necessary to allow veterans of World War II just concluded, to acquire submarginal lands from the Department of Agriculture or the Department of the Interior which have been acquired under an Act of Congress dated June 29, 1934, known as Chapter 865 (48 Stat. 1265-1275) and an Act of Congress dated July 22, 1937, known as Chapter 517, Title III, Section 32 (50 Stat. 525-526)." Referred to Committee on Federal Relations.

Moved by Loble, that the House adjourn until 1:00 o'clock P. M., Monday, January 17. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### FIFTEENTH DAY

House of Representatives,  
Helena, Montana,  
January 17, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Gunderson and Peterson, excused; and Armstrong and Clark (Musselshell), absent.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal for the Twelfth Legislative Day, and find same correct.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 14 and 17 and House Joint Memorial No. 1.

VAN DYKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 19, 6 and 21 have been returned correctly printed.

O'NEIL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 26 and 35 have been returned correctly printed.

O'NEIL, Chairman.

Report adopted.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Taber: A bill for an act entitled: "An act to amend Sections 30, 34, and 36 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly



of the State of Montana, 1937, relating to the regulating, licensing and sale of liquor at retail in the State of Montana, by providing for submission of question to qualified electors of any county whether provisions of Chapter 84, Session Laws of Montana, 1937, shall remain operative in said county."

By Tripp, Holding, Smith, Karlberg, Dusak, Holtz and Mernin: A bill for an act entitled: "An act prohibiting certain practices of discrimination by employers, employment agencies, labor organizations and others because of race, color, creed, national origin or ancestry: Creating the Montana Fair Employment Practices Commission; defining its functions, powers, and duties; providing for its procedure, enforcement powers and judicial review; imposing penalties; and making an appropriation therefor."

By Loble, Graybill and Peters: A bill for an act entitled: "An act to appropriate money from the General Fund to design, engineer, construct and erect suitable buildings to be used as a home for senile men and women; providing for the acquisition of a tract of irrigated land to be used as a site for said home for senile men and women; providing for a committee of nine (9) to select said site for said home for senile men and women; and appropriating funds for the expenses of said committee."

By Westlake, Dokken and Sales: A bill for an act entitled: "An act to amend Section 5447 of the Revised Codes of Montana of 1935, relating to compensation of commissioners and mayor under the commission-manager plan of government."

By Loble: A bill for an act entitled: "An act to amend Section V, Part III, Chapter 82 of the Laws of 1937, as amended by Section 1 of Chapter 69 of the Laws of 1947, and to amend Section X, Part V, Chapter 82 of the Laws of 1937, as Amended by Section 2, Chapter 69 of the Laws of 1947 relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for old age assistance and relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for aid to needy blind."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

### STENOGRAPHERS

Lillian Ruth Hoffman

Verna I. Warwick

Ruth Pearsall

### TYPIST

Patricia A. Henderson

HESS, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the communications from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, the appropriation measure being read at length:

House Bill No. 45 introduced by Trout, Harlow, Gunderson, Emmons, Loble, Holding and Peterson: A bill for an act entitled: "An act to amend Section 6577 of the Revised Codes of Montana, 1935, relating to the size

and equipment of all caboose cars used and operated by any railroad or railway in the State of Montana; providing for the time in which said act becomes effective and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Transportation.

House Bill No. 46 introduced by MacDonald: A bill for an act entitled: "An act to amend Sections 1, 2 and 3 of Chapter 150 of the Session Laws of Montana, 1945, and Section 4 of Chapter 150 of the Session Laws of Montana, 1945, as amended by Chapter 91 of the Session Laws of Montana, 1947, relating to the salaries of county officers, providing for minimum salaries and for the method and procedure for fixing and determining all salaries; requiring boards of county commissioners to fix such salaries in accordance with such method and procedure and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 47 introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money from the Hail Insurance Administrative Fund of the State of Montana for the purpose of maintenance and operation of the State Board of Hail Insurance for the year ending June 30, 1949, the appropriation made by the Thirtieth Legislative Assembly having been found to be insufficient." Referred to Committee on Appropriations.

House Bill No. 48 introduced by Oliver: A bill for an act entitled: "An act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana of 1935, as amended by Sections 1 and 2, Chapter 121 of the Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, as amended by Sections 1 and 2, Chapter 201 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to mileage for members of the Legislative Assembly, State officers, county officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage when using their own automobiles in the performance of official duties." Referred to Committee on Mileage and Per Diem.

House Bill No. 49 introduced by Laas and Smith: A bill for an act entitled: "An act to amend Section 2736.7 of Chapter 248, Revised Codes of Montana, 1935, by prohibiting the operation of aircraft in such a manner as to endanger the life or property of others." Referred to Committee on Aviation.

House Bill No. 50 introduced by Page (Granite): A bill for an act entitled: "An act to amend Section 8 of Chapter 289, Laws of the Thirtieth Legislative Assembly, 1947, relating to discount allowed on purchase of stamps, and repealing all acts in conflict." Referred to Committee on Revenue and Taxation.

House Bill No. 51 introduced by Bricker: A bill for an act entitled: "An act relating to and regulating mausoleums and columbariums and the interment of dead human remains therein, regulating crematories in connection with mausoleums and columbariums, providing for and regulating endowment care funds for mausoleums and columbariums, and providing penalties for violation thereof." Referred to Committee on Public Health and Sanitary Affairs.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows: all appropriation measures having been read at length:

House Bill No. 14 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner,

Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 88.

Noes: None.

Absent and not voting: Armstrong and Duppler.

House Bill No. 17 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Lass, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 87.

Noes: None.

Absent and not voting: Armstrong, Duppler and Esp.

House Joint Memorial No. 1 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Goodgame, Gunderson, Hall, Harken, Harlow, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Mernin, Michels, Nixon, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 54.

Noes: Anderson (Phillips), Blenkner, Brenner, Bricker, Corcoran, Dokken, Esp, Frerich, Ganson, Gebhardt, Harpster, Hawks, Haytin, Hoiness, Hunter, Krieg, McElwain, Martin, Mulrone, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Wiedman, Wilson (Treasure) and Working. Total 34.

Absent and not voting: Armstrong and Duppler. Total 2.

Moved by Loble, that General Orders be passed for the day. Carried.

Moved by Loble, that the House adjourn until 10:30 A. M., Tuesday, January 18, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## SIXTEENTH DAY

House of Representatives,  
Helena, Montana,  
January 18, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call all members were present except Aronow and Gunderson, absent and Sales excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fifteenth Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 28 has been correctly printed.

O'NEIL, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Esp and Scofield: A house joint memorial entitled: "A joint memorial of the Senate and House of Representatives of the State of Montana to the Registrar of Motor Vehicles of the State of Montana, urging that said registrar use every effort to obtain ample material for the manufacture and distribution of two (2) license plates for all automobiles and trucks on which a license fee has been paid."

By Hall, Bricker, Haytin, Page (Missoula), Beck, Sales, Mulroney, Jarussi, Andersen (Richland), Holtz, Gebhardt, Tierney and Domke: A bill for an act entitled: "A supplemental appropriation bill providing for lighting the capitol grounds and the dome of the state capitol building at Helena and making an appropriation of money to carry out the provisions of this act."

By Committee on State Boards and Offices, Hess, Chairman: A bill for an act entitled: "An act relating to the public health, providing for the reorganization of the 'State Board of Health of Montana' by creating 'the State Board of Health of the State of Montana', providing for the appointment of members thereof, their qualifications and term of office, providing that said board shall elect its officers, and shall appoint an executive officer, defining certain of the powers and duties of said reorganized board and the officers of said board, providing for the administration of the public health laws of Montana by said board, and for the transfer to, and possession and exercise by, said reorganized board of all powers and all duties currently provided and prescribed by law for the existing 'State Board of Health of Montana', and for the continuous and uninterrupted administration thereof by said reorganized board, and to amend Sections 2444 and 2445, Revised Codes of Montana, 1935, as amended by Chapter 225 of the Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, and to amend Section 2446 of the Revised Codes of Montana, 1935, and to repeal Section 2447, Revised Codes of Montana, 1935, and repealing all acts or parts of acts in conflict herewith."

By Committee on Revenue and Taxation, Domke, Chairman: A bill for an act entitled: "An act to amend Section 6014.82 of the Revised Codes of Montana, 1935, relating to examination fees payable by banks, investment and trust companies."

By Committee on Revenue and Taxation, Domke, Chairman: A bill



for an act entitled: "An act to amend Section 6014.80 of the Revised Codes of Montana, 1935, relating to examination fees payable by county free high schools of the State of Montana to the State General Fund."

By Committee on Revenue and Taxation, Domke, Chairman: A bill for an act entitled: "An act to amend Section 6014.79 of the Revised Codes of Montana, 1935, relating to examination fees payable by cities and towns of the State of Montana to the State General Fund."

By Committee on Revenue and Taxation, Domke, Chairman: A bill for an act entitled: "An act to amend Section 6014.78 of the Revised Codes of Montana, 1935, relating to examination fees payable by counties of the State of Montana to the State General Fund."

By Committee on Livestock and Public Ranges, Clark (Musselshell), Chairman: A bill for an act entitled: "An act to repeal Sections 4495 to 4500 inclusive, Revised Codes of Montana, 1935, relating to Rodent Law."

By Committee on Livestock and Public Ranges, Clark (Musselshell), Chairman: A bill for an act entitled: "An act to authorize the Boards of County Commissioners of the State of Montana to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice and other rodents and related animals which are injurious to agriculture, other industries and the public health: To authorize cooperation with the Montana Livestock Commission, and with the United States Department of the Interior, Fish and Wildlife Service: And to provide funds to enable the Boards of County Commissioners to carry out the provisions of this act."

By Committee on Livestock and Public Ranges, Clark (Musselshell), Chairman: A bill for an act entitled: "An act to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice and other rodents and related animals which are injurious to agriculture, other industries, and the public health: To authorize cooperation with the United States Department of the Interior, Fish and Wildlife Service, in the control of such noxious rodents and related animals: And to provide funds to enable the State of Montana Livestock Commission to carry out the provisions of this act."

By Tripp, Cunningham, Hess, Standish, Trout, Jarussi, Burns, Clark (Musselshell), Culbertson, Laas, Harken, McKenna, Hawks, Ganson, Jensen, Hoiness, Peters, Krieg, Pierce and Gebhardt: A house joint memorial entitled: "A house memorial to the President of the United States, Harry S. Truman; Senator James E. Murray, Senator Zales Ecton, Congressman Mike Mansfield and/or Congressman Wesley D'Ewart; Senator Joseph C. O'Mahoney, Chairman of the Senate Committee on Public Lands; Secretary of the Interior Krug; Commissioner of Reclamation, Michael Straus requesting the introduction and enactment of the necessary and proper legislation authorizing the necessary appropriations be provided the Bureau of Reclamation with funds for the immediate construction of Yellowtail dam located in Big Horn county in southern Montana."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a majority of your Committee on Affairs of Cities, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do pass.

CULBERTSON,  
JARUSSI,  
EMMONS,  
HOINESS,  
PAGE (Granite),  
TROUT,  
HAYTIN,  
McELWAIN,  
DOKKEN,  
KARLBERG.

Report adopted.



Mr. Speaker: We, a minority of your Committee on Affairs of Cities, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass.

McCARTHY,  
FOLEY.

Report adopted.

Moved by Karlberg that the majority report of the committee be adopted. Passed.

Moved by McCarthy that the minority report of the committee be adopted. Killed.

Majority report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

CLARK (Musselshell), Chairman,

Report adopted.

Moved by Loble that House Bill No. 38 be taken from the Committee on Public Ranges and be re-referred to the Committee on Appropriations. Carried.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do pass.

WESTLAKE, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the communications from the Senate be considered read at length and the Journal so show. Carried.

## MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 35 be taken from general orders and re-referred to Committee on Appropriations. Carried.

Moved by Clark (Silver Bow), that House Bill No. 16 be taken from the Committee on Printing and be re-referred to the Committee on Liquor Control. Motion lost.

Moved by Loble that all bills on third reading, except appropriation bills, be read by title, history and section number only, in the future. Carried.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 52, introduced by Harlow: A bill for an act entitled: "An act to amend Chapter 140, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Chapter 188, of the Thirtieth Legislative Assembly of 1947, relating to establishment of adult education schools: Providing for a tax levy for the support and maintenance thereof, and re-

pealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 53, introduced by Westlake, Dokken and Sales: A bill for an act entitled: "An act to amend Section 5447 of the Revised Codes of Montana of 1935, relating to compensation of commissioners and mayor under the commission-manager plan of government." Referred to Committee on Affairs of Cities.

House Bill No. 54, introduced by Loble: A bill for an act entitled: "An act to amend Section V, Part III, Chapter 82 of the Laws of 1937, as amended by Section 1 of Chapter 69 of the Laws of 1947, and to amend Section X, Part V, Chapter 82 of the Laws of 1937, as amended by Section 2, Chapter 69 of the Laws of 1947 relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for old age assistance, and relating to the method of reimbursement to the State Department of Public Welfare by counties for grants made for aid to needy blind." Referred to Committee on Social Security.

House Bill No. 55, introduced by Loble, Graybill and Peters: A bill for an act entitled: "An act to appropriate money from the General Fund to design, engineer, construct and erect suitable buildings to be used as a home for senile men and women: Providing for the acquisition of a tract of irrigated land to be used as a site for said home for senile men and women: Providing for a committee of nine (9) to select said site for said home for senile men and women: And appropriating funds for the expenses of said committee." Referred to Committee on Appropriations.

House Bill No. 56, introduced by Emmons and Smith: A bill for an act entitled: "An act relating to salary and small installment loans: Providing for regulating licensing persons and others making loans of money less than three hundred dollars (\$300.00); providing maximum rate of interest to be charged: Providing for supervision by the Superintendent of Banks of the State of Montana; providing for filing of monthly statements with said State Superintendent of Banks; providing other matters pertaining to such loans; providing for recovery for overcharges; providing for cancellation of licenses, and repealing all acts in conflict." Referred to Committee on Banks and Banking.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous seating.

Mr. Speaker appointed Ballard to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 3 be passed for the day.

That House Bill No. 21 do pass.

That House Bill No. 19, do pass.

That House Bill No. 6, be amended in Section 3 by striking out all of lines 1 and 2 of Section 3 of the printed bill and as amended, recommend same do pass.

That House Bill No. 26, do pass.

BALLARD, Chairman.

Report adopted.

Moved by Loble, that the House recess until 1:30 P. M. this day. Carried.

House resumed.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Aronow: A bill for an act entitled: "An act to amend Section 5108.7 of the Revised Codes of Montana, 1935, as amended by Chapter 78 of the Montana Session Laws of 1937, relating to the tax levy for the payment of police reserves in cities and towns of the first and second class in the State of Montana and specifying the limitation of such levys."

By Gunderson, Chairman, Committee on Agriculture: A bill for an act entitled: "An act to provide revolving funds for each of the several divisions of the Department of Agriculture, Labor and Industry, the method of creating and using the funds and repealing all acts and parts of acts in conflict herewith."

By Aronow, McKenna, Laas and Williams: A bill for an act entitled: "An act accepting the amendment enacted by congress to Section Eleven of the act approved February 22, 1889, (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana and Washington, approved by the president of the United States, April 13, 1948."

By Aronow, McKenna, Laas and Williams: A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases, and agreements for the pooling of acreage with others for unit operations for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, relating to amendment of existing state oil and gas leases."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 be amended as follows: Lines 22 and 23 in Section 3 be stricken from the bill. As amended, do pass.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That House Joint Memorial No. 2 do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do not pass.

BECK, Chairman.

Substitute motion by Hawks of Big Horn, that House Bill No. 13 be printed and placed on General Orders. Carried.

Moved by Loble that the House adjourn until 11:00 o'clock Wednesday, January 19, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## SEVENTEENTH DAY

House of Representatives,  
Helena, Montana,  
January 19, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Nixon, excused.

Mr. Speaker: We, your Committee on Journal beg leave to report that we have examined the Journal for the Sixteenth Legislative Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered correctly engrossed: House Bills Nos. 19 and 26.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 6 and 21.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 30 and 40 have been returned correctly printed.

O'NEIL, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Domke: A bill for an act entitled: "An act to provide for the assessment and taxation of airline flight property; prescribing the powers and duties of the State Board of Equalization in connection therewith; defining certain terms: and imposing penalties for violation of the act."

By Domke: A bill for an act entitled: "An act to amend Section 2000.1, Revised Codes of Montana, 1935, defining moneys and credits for taxation purposes."

By Committee on Judiciary, Harken, Chairman: A bill for an act entitled: "An act to provide for the cancellation of certain delinquent taxes

on personal property not a lien on real estate, the cancellation of certain obligations held by counties, prescribing procedure relating thereto, duties of the county treasurers and Boards of County Commissioners in connection therewith."

By Harlow, Robertson, Jarussi and Harpster: A bill for an act entitled: "An act to appropriate the sum of \$75,000.00 as a revolving fund for use of the State Department of Vocational Education, to be expended by it during the period when federal funds are not available; providing for reimbursement of such revolving fund from federal funds when and as available; repealing all acts and parts of acts in conflict."

By Anderson (Phillips), Barnard, Clark (Musselshell), Van Dyke, Williams, Loughran, Gunderson, Hawks and Bricker: A bill for an act entitled: "An act relating to anti-freeze; to provide that no anti-freeze shall be sold, exposed for sale, or held with intent to sell within this state until inspected by the Public Service Commission of Montana, and found to comply with the provisions of this act; to provide inspection fees and distribution of the same; to provide that the commission shall be authorized to make rules and regulations; to prohibit certain matters in advertising; to define terms; to provide how the act be cited; and to provide penalties."

By Scofield, Esp, Emmons and Howard: A bill for an act entitled: "An act to amend Chapter 150 of the Laws of 1945, as amended by Chapter 91 of the Laws of 1947, relating to the salaries of county officers and providing a method and procedure for fixing and determining such salaries and requiring county commissioners to fix such salaries in accordance with such method and procedure, by providing that the salary schedule set out in Section One (1) thereof shall be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated in said section; by providing that all salaries fixed by all other sections of said chapter be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated therein; by providing that populations of the various counties shall be computed on the basis of the annual estimation of population of the federal census bureau for the purpose of computing that portion of officers' salaries to be taken from salary column A of Section 1 of said chapter; providing that this act shall be in full force and effect from and after its passage and approval, but shall not effect an increase of the salary of any public officer who is in office at the date this act goes into effect; and repealing all acts and parts of acts in conflict herewith."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

HARKEN, Chairman.

On substitute motion, it was moved by Tripp that House Bill No. 23 be printed and placed on General Orders. Motion lost.

The report of the Committee on Judiciary was thereupon adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 be amended as follows:

Section 2 of the original bill be amended by inserting in line 18 after the figures 12104 (before the word 'be') the words and figures "Revised Codes of Montana, 1935",

And that House Bill No. 42 be further amended by striking all of Section 4, and as amended recommend that House Bill No. 42 be printed and placed on General Orders.

HARKEN, Chairman.

Report adopted.



## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the communications from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Memorial No. 3, introduced by Esp and Scofield: A joint memorial entitled: "A joint memorial of the Senate and House of Representatives of the State of Montana to the Registrar of Motor Vehicles of the State of Montana, urging that said registrar use every effort to obtain ample material for the manufacture and distribution of two (2) license plates for all automobiles and trucks on which a license fee has been paid. Referred to Committee on Highways and Highway Transportation.

House Bill No. 57, introduced by Jarussi, Gunderson, Holtz, Gebhardt, Tierney, Domke, Hall, Bricker, Haytin, Page (Missoula), Beck, Sales and Mulrone: A bill for an act entitled: "A supplemental appropriation bill providing for lighting the capitol grounds and the dome of the state capitol building at Helena and making an appropriation of money to carry out the provisions of this act." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 58, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to repeal Sections 4495 to 4500 inclusive, Revised Codes of Montana, 1935, relating to rodent law." Referred to Committee on Livestock and Public Ranges.

House Bill No. 59, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice, and other rodents and related animals which are injurious to agriculture, other industries, and the public health: To authorize cooperation with the United States Department of the Interior, Fish and Wildlife Service, in the control of such noxious rodents and related animals: And to provide funds to enable the State of Montana Livestock Commission to carry out the provisions of this act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 60, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to authorize the Boards of County Commissioners of the State of Montana to provide for the control of noxious rodents and related animals, such as jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats, mice and other rodents and related animals which are injurious to agriculture, other industries, and the public health; to authorize cooperation with the Montana Livestock Commission, and with the United States Department of the Interior, Fish and Wildlife Service; and to provide funds to enable the Boards of County Commissioners to carry out the provisions of this act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 61, introduced by Aronow: A bill for an act entitled: "An act to amend Section 5108.7 of the Revised Codes of Montana, 1935, as amended by Chapter 78 of the Montana Session Laws of 1937, relating to the tax levy for the payment of police reserves in cities and towns of the first and second class in the State of Montana and specifying the limitation of such levys." Referred to Committee on Affairs of Cities.

House Bill No. 62, introduced by Tripp, Holding, Smith, Karlberg, Holtz, Dusak and Mernin: A bill for an act entitled: "An act prohibiting certain practices of discrimination by employers, employment agencies, labor organizations and others because of race, color, creed, national origin or an-

cestry; creating the Montana Fair Employment Practices Commission; defining its functions, powers, and duties; providing for its procedure, enforcement powers, and judicial review; imposing penalties; and making an appropriation therefor." Referred to Committee on Labor.

House Bill No. 63, introduced by Committee on Agriculture: A bill for an act entitled: "An act to provide revolving funds for each of the several divisions of the Department of Agriculture, Labor and Industry, the method of creating and using the funds and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture.

House Bill No. 64, introduced by Taber: A bill for an act entitled: "An act to amend Sections 30, 34, and 36 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to the regulating, licensing and sale of liquor at retail in the State of Montana, by providing for submission of question to qualified electors of any county whether provisions of Chapter 84, Session Laws of Montana, 1937, shall remain operative in said county." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 65, introduced by Aronow, McKenna, Laas and Williams: A bill for an act entitled: "An act accepting the amendment enacted by Congress to Section Eleven of the act approved February 22, 1889, (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved by the President of the United States, April 13, 1948." Referred to Committee on Petroleum, Oil and Gas.

House Bill No. 66, introduced by Aronow, McKenna, Laas and Williams: A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases, and agreements for the pooling of acreage with others for unit operations for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, Relating to amendment of existing state oil and gas leases." Referred to Committee on Petroleum, Oil and Gas.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 6, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Graybill, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Smith,

Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin) and Working.

Ayes: Total 77.

Noes: Anderson (Phillips), Armstrong, Brenner, Dokken, Esp, Frerich, MacDonald, Martin, Oliver, Phillips, Scofield, and Wilson. Total 12.

Absent and not voting: Nixon. Total 1.

House Bill No. 19, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 74.

Noes: Clark (Musselshell), Duppler, Esp, Frerich, Gunderson, Holding, MacDonald, Oliver, Phillips, Pierce, Standish, Taber, Taylor and Wilson (Judith Basin). Total 14.

Absent and not voting: Harpster and Nixon. Total 2.

House Bill No. 21, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes. Total 88.

Noes. Taylor. Total 1.

Absent and not voting: Nixon. Total 1.

House Bill No. 26, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wied-

man, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, McKenna and Mr. Speaker:

Ayes: Total 89.

Noes: None.

Absent and not voting: Nixon. Total 1.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous seating.

Mr. Speaker appointed Peterson of Pondera to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 3 do pass.

That House Bill No. 28 do pass.

PETERSON, Chairman.

Report adopted.

Moved by Loble that the House recess until 2:00 P. M. this day. Carried.

House resumed.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Petroleum, Oil and Gas, Aronow, Chairman: A joint memorial entitled: "A joint memorial to the President of the United States, and to the Honorable James E. Murray and Zales N. Ecton, Senators from the State of Montana, and Mike Mansfield and Wesley A. D'Ewart, Congressmen from the State of Montana, for appropriate action to alleviate the shortage of tubular goods and steel necessary for the development of Montana's oil and gas resources, and for the end of discrimination against Montana by the shipment of steel and tubular goods to foreign countries for the development of oil and gas resources in such foreign countries and the end of the grey market in steel."

By Tripp, Wilson (Judith Basin), Mulroney, Peters, Taber, and Goodgame: A bill for an act entitled: "An act prohibiting any person who is owner, proprietor, manager, operator, or employee of any place where beer, wine, or intoxicating liquor is sold at retail and may be consumed on the premises from allowing or permitting any person under eighteen years of age from entering or remaining in such place; providing a penalty for violation; providing a penalty for falsely representing age; and providing penalty for parent, parents or guardian whose minor child under sixteen years of age enters or remains in such premises."

By Emmons and Smith: A bill for an act entitled: "An act to amend subsection (a), Section 7, Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164 of the Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941; relating to the 'unemployment compensation law', to provide for exemption from payment of contributions by employers employing individuals not eligible to receive benefits."



By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to amend Section 1373, Revised Codes of Montana of 1935, providing for payment of claims against national guard appropriation and of allowed pay and expenses of the organized militia when called into the service of the state."

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to create the Montana State Disaster Council; defining its powers and duties; and providing for duties of certain state governmental agencies in case of disaster."

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to amend Chapter 118 of the Laws of Montana of 1947, designating the salary of the adjutant general of the State of Montana, and the assistant adjutant general of the State of Montana."

By Domke: A bill for an act entitled: "An act providing for assessing and taxing gross earnings of freight line companies doing business in Montana; defining terms; prescribing duties and liabilities of freight line companies and railroad companies, and penalties; prescribing powers and duties of the State Board of Equalization; providing for hearing, adjustment of tax, refund, and other matters pertaining to this act."

By Peterson, Holding, and Karlberg: A bill for an act entitled: "An act relating to the issuance of motor vehicle license plates and setting the date on which such license plates must be put on sale."

By Committee on Judiciary, Harken, Chairman: A bill for an act entitled: "An act to amend Section 5738, Revised Codes of Montana, 1935, relating to grounds for divorce and defining extreme cruelty and providing that the cause of action may be stated in the language of the statute."

By Oliver by request: A bill for an act entitled: "An act to amend Section III, part I of Chapter 82 of the Laws of 1937 relating to the salary of the state administrator of the State Department of Public Welfare."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do pass.

DUNCAN, Chairman.

Report adopted.

#### INTRODUCTION OF BILLS

The following Bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 67, introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.78 of the Revised Codes of Montana, 1935, relating to examination fees payable by counties of the State of Montana to the State General Fund." Referred to Committee on Revenue and Taxation.

House Bill No. 68, introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.79 of the Revised Codes of Montana, 1935, relating to examination fees payable by cities and towns of the State of Montana to the State General Fund." Referred to Committee on Revenue and Taxation.



House Bill No. 69, introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.80 of the Revised Codes of Montana, 1935, relating to examination fees payable by county free high schools of the State of Montana to the State General Fund." Referred to Committee on Revenue and Taxation.

House Bill No. 70, introduced by Revenue and Taxation Committee: A bill for an act entitled: "An act to amend Section 6014.82 of the Revised Codes of Montana, 1935, relating to examination fees payable by banks, investment and trust companies." Referred to Committee on Revenue and Taxation.

### CONSIDERATION OF MESSAGES FROM THE SENATE

January 19, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 2—Lynch.

Senate Bill No. 4—Toman.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### INTRODUCTION OF SENATE BILLS

The following Senate Bills were introduced, read first and second times and referred to committees:

Senate Bill No. 2 introduced by Lynch: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken for the authorization and issuance by such public bodies of bonds, instruments and other obligations, however described, and providing that this act may be cited as "The 1949 Bond Validating Act." Referred to Committee on Counties and Towns.

Senate Bill No. 4 introduced by Toman: A bill for an act entitled: "An act to amend Section 3767 of the Revised Codes of Montana, 1935, relating to Powder River game preserve." Referred to Committee on Fish and Game.

Moved by Loble, that the House adjourn until 10:30 A. M., Thursday, January 20. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### EIGHTEENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 20, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Howard, excused, and Hunter, absent.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Seventeenth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 13, 16, 18, 48 and 53, have been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to amend Section 1346, Revised Codes of Montana of 1935, providing for an Adjutant General of the State of Montana, and an Assistant Adjutant General of the State of Montana, and prescribing their duties."

By Blenkner: A bill for an act entitled: "An act to amend Sections 2678 and 2702 of the Revised Codes of Montana of 1935, as amended by Chapter 137, Laws of Montana, 1941, relating to electrical construction."

By Esp and Scofield: A bill for an act entitled: "An act to amend Section 4, Chapter 206 of the Laws of the Twenty-eighth Legislative Assembly, of the State of Montana, 1943, relating to a predatory animal control program for sheep protection and fixing a license fee to support such program and providing that the annual license fee levied by the Board of County Commissioners upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county shall remain in force from year to year unless repealed by the board upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county."

By Haytin and Laas: A bill for an act entitled: "An act to appropriate money from the State Aviation Fund and of Federal Funds received for the use of the State Aeronautics Commission, for the operation and maintenance of the State Aeronautics Commission for the period beginning July 1, 1949, and ending June 30, 1951."

By Domke: A bill for an act entitled: "An act to repeal Chapter 3 of the Laws of the Twenty-ninth Legislative Assembly, 1945, the same being an act entitled, 'An act relating to and specifying inheritance taxes imposed upon the personal property of non-resident decedents, and providing for a reciprocal exemption' and repealing all acts and parts of acts in conflict herewith."

By Domke: A bill for an act entitled: "An act to amend Section 10400.1 (3) of the Revised Codes of Montana, 1935, relating to transfers in contemplation of death."

By Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to amend Section 1830.3 Revised Codes of Montana, 1935, and to increase the salary of the State Forester of the State of Montana."

By Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act appropriating moneys for the purpose of complying with the provisions of Section 2, Chapter 141, Session Laws of 1937; Section 6, Chapter 128, Session Laws of 1939; and Section 1, Chapter 193, Session Laws of 1947 authorizing and empowering the granting of advice and assistance to farmers and others in the establishment and maintenance of forest tracts, woodlots, windbreaks, and shelterbelts within the State of the biennium ending June 30, 1951."

By Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act providing for the further conservation and protection of forests and forest lands; providing for the method or methods of slash and debris treatment, protection or disposal and amending Sections 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, as heretofore amended."

By Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to provide for the conservation and protection from fire of forests and forest lands and to amend Section 11500 Revised Codes of Montana, 1935, and providing penalties for the careless or negligent setting of fire to any timber, woodland or grass without taking sufficient and adequate steps to secure said fire from spreading and for the failure to extinguish any such fire before leaving said fire."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended to read as follows:

In the title: In line 2 of the original bill, after the word "miles" insert the words "or more."

In section 10, on page 6, line 23 of the original bill, after the figures " $2\frac{1}{2}$ " insert the word "miles"; and after the word "not" delete the word "less" and insert the word "more" in lieu thereof.

On page 7, line 24, after the word "live" delete the word "in" and insert in lieu thereof the word "on."

On page 9, add at the end of Section 11 the following: "For the purpose of effectuating this Act, the State Superintendent of Public Instruction shall be authorized with the approval of the State Board of Education to employ a competent person as Supervisor of Transportation. Not less than one-half of his time shall be devoted to this service. The other time may be spent as provided by law, or as otherwise provided. His salary and expenses shall be paid in proportion to time spent as Transportation Supervisor from the transportation funds as approved by the State Board of Education."

On page 9, line 15: Delete Section 12 as it is in the original bill, and insert in lieu thereof the following:

"Section 12. Liability Insurance Must Be Carried.

A school district owning or hiring and operating its own school bus or busses and any contract bus operator carrying school children shall keep in force with an insurance company licensed to do business in the State of Montana and authorized to write such insurance therein, insurance against liability for personal injury caused by accident arising out of the ownership, operation, maintenance or use of each such bus. The limits of liability of such insurance shall be as follows:

Bus Load Limit	Limit for bodily injuries or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one accident*
Six passengers or less.....	\$10,000	\$25,000
7 to 12 passengers, inclusive .....	10,000	40,000
13 to 20 passengers, inclusive .....	10,000	55,000
21 to 30 passengers, inclusive .....	10,000	70,000
31 to 40 passengers, inclusive .....	10,000	85,000
41 passengers, or over.....	10,000	100,000

(\* — Subject to a maximum of \$10,000 for bodily injuries to or death of one person.)

Any policy of insurance obtained by a contract bus operator shall be endorsed by the issuing company so as to include the contracting school district as a covered insured. An executed copy of such policy shall be delivered to the clerk of the board of trustees of the contracting district."

And further amend House Bill 31 on page 10, line 2, strike out the figures "1106.2" and insert in lieu thereof the figures "1186.2"; line 3, after the word "Montana," insert the figures "1935."

In line 15, after the word "add" insert "for the purpose of replacing such bus or busses."

And in line 19, strike out the words "for which it was allowed." and insert in lieu thereof the words "of replacement."

On page 8, line 16, delete subsection (i) and insert in lieu thereof the following:

"(i) No child attending public elementary school shall be required by any school board to ride a school bus, under average road conditions, more than one (1) hour per trip of said child in said school bus, without the consent of the child's parents or guardian."

As so amended, the bill be recommended do pass.

HARLOW, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that the messages from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 71 introduced by Anderson (Phillips), Barnard, Clark (Musselshell), Van Dyke, Williams, Loughran, Gunderson, Hawks and Bricker: A bill for an act entitled: "An act relating to anti-freeze; to provide that no anti-freeze shall be sold, exposed for sale, or held with intent to sell within this State until inspected by the Public Service Commission of Montana, and found to comply with the provisions of this act; to provide inspection fees and distribution of the same; to provide that the commission shall be authorized to make rules and regulations; to prohibit certain matters in advertising; to define terms; to provide how the act be cited; and to provide penalties." Referred to Committee on Public Safety.

House Bill No. 72 introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act relating to the public health, providing for the reorganization of the 'State Board of Health of Montana' by creating 'the State Board of Health of the State of Montana,' providing for the appointment of members thereof, their qualifications and term of office, providing that said board shall elect its officers, and shall appoint an executive officer, defining certain of the powers and duties of said reorganized board and the officers of said board, providing for the administration of the public health laws of Montana by said board, and for the transfer to, and possession and exercise by, said reorganized board of all powers and all duties currently provided and prescribed by law for the existing 'State Board of Health of Montana,' and for the continuous and



uninterrupted administration thereof by said reorganized board, and to amend Sections 2444 and 2445, Revised Codes of Montana, 1935, as amended by Chapter 225 of the Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, and to amend Section 2446 of the Revised Codes of Montana, 1935, and to repeal Section 2447, Revised Codes of Montana, 1935, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 73 introduced by Peterson, Holding and Karlberg: A bill for an act entitled: "An act relating to the issuance of motor vehicle license plates and setting the date on which such license plates must be put on sale." Referred to Committee on Highways and Highway Transportation.

House Bill No. 74 introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for the cancellation of certain delinquent taxes on personal property not a lien on real estate, the cancellation of certain obligations held by counties, prescribing procedure relating thereto, duties of the county treasurers and boards of county commissioners in connection therewith." Referred to Committee on Judiciary.

House Bill No. 75 introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 5738, Revised Codes of Montana, 1935, relating to grounds for divorce and defining extreme cruelty and providing that the cause of action may be stated in the language of the statute." Referred to Committee on Judiciary.

House Bill No. 76 introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Chapter 118 of the Laws of Montana of 1947, designating the salary of the Adjutant General of the State of Montana, and the Assistant Adjutant General of the State of Montana." Referred to Committee on Military Affairs.

House Bill No. 77 introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1373, Revised Codes of Montana of 1935, providing for payment of claims against National Guard appropriation and of allowed pay and expenses of the organized militia when called into the service of the State." Referred to Committee on Military Affairs.

House Bill No. 78 introduced by Committee on Military Affairs: A bill for an act entitled: "An act to create the Montana State Disaster Council; defining its powers and duties; and providing for duties of certain state governmental agencies in case of disaster." Referred to Committee on Military Affairs.

House Bill No. 79 introduced by Oliver: A bill for an act entitled: "An act to amend Section III, Part I of Chapter 82 of the Laws of 1937, relating to the salary of the State Administrator of the State Department of Public Welfare." Referred to Committee on Social Security.

House Bill No. 80 introduced by Tripp, Wilson (Judith Basin), Mulroney, Peters, Taber, Goodgame: A bill for an act entitled: "An act prohibiting any person who is owner, proprietor, manager, operator, or employee of any place where beer, wine, or intoxicating liquor is sold at retail and may be consumed on the premises from allowing or permitting any person under eighteen years of age from entering or remaining in such place; providing a penalty for violation; providing a penalty for falsely representing age; and providing penalty for parent, parents or guardian whose minor child under sixteen years of age enters or remains in such premises." Referred to Committee on Public Morals.

House Bill No. 81 introduced by Harlow, Robertson, Jarussi and Harpster: A bill for an act entitled: "An act to appropriate the sum of \$75,000.00 as a revolving fund for use of the State Department of Vocational Education, to be expended by it during the period when federal funds are not available; providing for reimbursement of such revolving fund from



federal funds when and as available; repealing all acts and parts of acts in conflict." Referred to Committee on Appropriations.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Mr. Speaker asked Mr. Blenkner to take the Chair. Committee arose. House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 30 do pass.

That House Bill No. 40 do pass.

BLENKNER, Chairman.

Report adopted.

Moved by Loble, that the House recess until 1:30 P.M. this day.

House resumed.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 3 and House Bill No. 28.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 43 and House Joint Memorial No. 2 have been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Haytin, Karlberg and Holding: A bill for an act entitled: "An act placing the responsibility of the building, repairing and maintaining State highways, where they pass through cities and towns, on the State Highway Commission and Department and Relieving cities and towns from damages caused by the condition, building, repairing and maintaining the same; repealing all acts and parts of acts in conflict herewith."

By Tripp and Burns: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana amendments to Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 19, 21, 24, 27, 28, 32, 40, 41, 45, of Article V of the Constitution of Montana, relating to the legislative authority of the State of Montana, and providing that beginning with the regular session of the legislature in 1953 the legislative authority of the State of Montana shall be vested in a unicameral legislative assembly of not less than forty nor more than sixty members, and providing for the election of the members of this legislative assembly, their term of office, and salaries; and providing further that all provisions in the Constitution, and the laws of the State relating to the legislature, Senate, House of Representatives, and the joint sessions thereof, to mean, insofar as applicable, said legislature of one house; and providing for the repeal of Sections 3, 4, 5, 6 of Article VI of the Constitution of the State of Montana and providing for the repeal of all acts or parts of acts and constitutional provisions in conflict herewith."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Institutions, Public Buildings, and Grounds, having had under consideration House Bill No. 57, respectfully report as follows:

That House Bill No. 57 be re-referred to the Committee on Appropriations.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 12, respectfully report as follows:

That House Bill No. 12, as amended, do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 37, respectfully report as follows:

That House Bill No. 37 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 67, respectfully report as follows:

That House Bill No. 67 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 68, respectfully report as follows:

That House Bill No. 68 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 69, respectfully report as follows:

That House Bill No. 69 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 70, respectfully report as follows:

That House Bill No. 70 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Joint Memorial No. 3, respectfully report as follows:

That House Joint Memorial No. 3 do pass.

NIXON, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Domke, that House Bill No. 43 be taken from General Orders and re-referred to the Committee on Revenue and Taxation. Carried.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills and memorials were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Memorial No. 1 introduced by Tripp, Hawks, Standish, Burns, Clark (Musselshell), Cunningham, Hess, Trout, Jarussi, Emmons, Culbertson, Laas, Harken, McKenna, Ganson, Jensen, Hoiness, Peters, Krieg and Gebhardt: A House Memorial entitled: A House Memorial to the President of the United States, Harry S. Truman; Senator James E. Murray, Senator Zales N. Ecton, Congressman Mike Mansfield, and/or Wesley D'Ewart; Senator Joseph C. O'Mahoney, Chairman of the Senate Committee on Public Lands; Julius Krug, Secretary of the Interior; and Michael Straus, Commissioner of Reclamation, requesting the introduction and enactment into law of the necessary and proper legislation authorizing that sufficient appropriations be provided the Bureau of Reclamation for the immediate construction of Yellowtail dam located in Big Horn county in southern Montana. Referred to Committee on Federal Relations.

House Bill No. 82 introduced by Domke: A bill for an act entitled: "An act providing for assessing and taxing gross earnings of freight line companies doing business in Montana; defining terms; prescribing duties and liabilities of freight line companies and railroad companies, and penalties; prescribing powers and duties of the State Board of Equalization; providing for hearing, adjustment of tax, refund, and other matters pertaining to this act." Referred to Committee on Revenue and Taxation.

House Bill No. 83 introduced by Domke: A bill for an act entitled: "An act to amend Section 2000.1, Revised Codes of Montana, 1935, defining moneys and credits for taxation purposes." Referred to Committee on Revenue and Taxation.

House Bill No. 84 introduced by Domke: A bill for an act entitled: "An act to provide for the assessment and taxation of airline flight property; prescribing the powers and duties of the State Board of Equalization in connection therewith; defining certain terms; and imposing penalties for violation of the act." Referred to Committee on Revenue and Taxation.

House Bill No. 85 introduced by Emmons and Smith: A bill for an act entitled: "An act to amend Subsection (a), Section 7, Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164 of the Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941; relating to the "unemployment compensation law", to provide for exemption from payment of contributions by employers employing individuals not eligible to receive benefits." Referred to Committee on Social Security.

Moved by Loble, that the Special Committee on Liquor Investigation be excused for the duration of the meeting. Carried.

## THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 3, being a Constitutional Amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provision thereof, the bill is set forth in its entirety as follows:

## HOUSE BILL NO. 3

Introduced by Anderson of Phillips, Scofield, Blenkner, Armstrong

A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section one (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the separation of the Bureau of Labor and Industry from the Bureau of Agriculture."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1950.

Section 2. That Section One (1), of Article Eighteen (18) of the Constitution of Montana be, and the same is hereby amended to read as follows:

"Section 1. The Legislative Assembly shall provide for a Department of Agriculture, and a separate Department of Labor and Industry to be located at the Capitol and each of said departments shall be under the control of a separate commissioner who shall be appointed by the Governor, subject to the confirmation of the Senate. Each Commissioner shall hold office for four (4) years, and until his successor is appointed and qualified; the compensation of each Commissioner shall be as provided by law. The powers and duties of each commissioner shall be prescribed by the legislature."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. 1, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the amendment.
- ☐ Against the amendment.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The vote cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the general election laws of the State of Montana.

Section 5. All acts and parts of acts in conflict herewith are hereby repealed.

The vote on said House Bill No. 3 was as follows: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: 79.

Absent and not voting: Bricker, Corcoran, Dusak, Howard, McElwain, McKenna, Michels, Nixon, Standish, Westlake and Working. Total 11.

House Bill No. 28 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: 83.

Noes: None.

Absent and not voting: Bricker, Corcoran, Dusak, McKenna, Michels, Nixon, Standish. Total 7.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following:

By Domke, Loble, Burns and Smith: A House Joint Memorial entitled: "A Memorial to the Congress of the United States of America, to the Honorable United States Senators James E. Murray and Zales N. Ecton, and the Honorable Representatives in Congress Mike Mansfield and Wesley A. D'Ewart, requesting that the 81st Congress introduce and pass the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the 80th Congress."

Moved by Loble, that the House adjourn until 10:30 A. M. Friday, January 21. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### NINETEENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 21, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aronow, Corcoran, Harlow, McKenna, Michels, Standish, and Tierney, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Eighteenth Legislative Day and find same correct.

HOLTZ, Chairman.



Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 42 and 47 have been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Holding, Mulroney, McElwain, Armstrong, Loble, Bricker, Emmons, Trout, Goodgame and Hoiness: A bill for an act entitled: "A bill for an act to amend Section 2917, Revised Codes of Montana, 1935, as amended by Chapter 229 of the Session Laws of 1943, and by Chapter 213 of the Session Laws of 1945, relating to medical, hospital and other services furnished to injured workmen under the workmen's compensation act, by increasing the amount of such services to not exceed the sum of one thousand dollars (\$1,000.00)."

By Loble and Bricker: A bill for an act entitled: "An act to establish a wood molasses pilot plant and research program at Montana State College, at Bozeman, Montana, for the purpose of carrying on scientific and applied research in the production of wood molasses and other by-products of the wood hydrolysis process, providing for a director of said pilot plant, authorizing the said director to obtain such equipment, facilities and staff as may be necessary and proper to carry on such work, and providing that said director may make appropriate rules and regulations, and to make appropriations therefor."

By Committee on Livestock and Public Ranges, Clark (Musselshell), Chairman: A bill for an act entitled: "An act to amend Section 3308.1, Revised Codes of Montana, 1935, providing for the filing of chattel mortgages upon livestock in the office of the General Recorder of Marks and Brands, furnish lists of said notices of mortgages to all stock inspectors providing for the prescribing of forms for the Livestock Commission and to provide that no livestock market shall be held liable to any mortgagee who fails to record his mortgage with the Recorder of Marks and Brands for money paid to the mortgagor."

By Burns, O'Neil, Tripp, Mernin, Dwyer, Goodgame, Culbertson, Aronow, Armstrong, and Clark (Musselshell): A bill for an act entitled: "An act to amend Sections 1529 and 1533, Revised Codes of Montana, 1935, and Section 1535, Revised Codes of Montana, 1935, as amended by Section 81, Session Laws, 1945, relating to the Montana Soldiers' Home."

By Andersen (Richland): A bill for an act entitled: "An act designating all bridges, public or private, crossing streams or rivers in the State of Montana, as roads upon which moneys of the State Highway Fund may be expended by the State Highway Commission; and repealing all acts and parts of acts in conflict herewith."

By Fish and Game Committee, Ballard, Chairman: A bill for an act entitled: "An act to amend Section 3761, of the Revised Codes of Montana, 1935, as amended by Section 28 of Chapter 224, Laws of the Thirtieth Legislative Assembly, 1947, relating to the creation of game preserves, boundaries, provisions thereof, eliminating the provisions creating the Snow Creek Game Preserve; and penalties for violation of the provisions of this act; and to repeal Section 3762, 3766, 3776.15 of the Revised Codes of Montana, 1935, also relating to game preserves."

By Fish and Game Committee, Ballard, Chairman: A bill for an act entitled: "An act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, as amended by Chapter 174 of the Laws of the Twenty-sixth Legislative Assembly, 1939, and as amended by Chapter 215 of the Thirtieth Legislative Assembly, 1947, relating to the classes of licenses for hunting

and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; providing rules for determining residence for the purpose of issuing resident hunting and fishing licenses; providing the penalty for violation of the act, and repealing all acts and parts of acts in conflict herewith."

By Fish and Game Committee, Ballard, Chairman: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game, by adding sub-section to be known as Section 3694.3, relating to the authority of the Fish and Game Commission to prohibit the use of small fish, dead or alive in any stream or lake in the State of Montana; and making it unlawful for any person or persons to transplant or introduce any species of fish, game birds or game animals without authorization from the Fish and Game Commission; and providing penalties for violation of this act; and repealing all acts and parts of acts in conflict herewith."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 61, respectfully report as follows:

That House Bill No. 61 be amended to read as follows:

To strike out Section 3, lines 29 and 30. And as amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 2, respectfully report as follows:

That Senate Bill No. 2 be concurred in.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75, respectfully report as follows:

That House Bill No. 75 do pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 74, respectfully report as follows:

That House Bill No. 74 be amended as follows:

On page 2, line 4, of the original bill, by inserting after the figure 3. (period) and before the word "The" the following: "The date of obligation; date when last payment became due; date of last payment thereon, and" (continue with the words 'the date when the collection of the obligation became barred by said statute of limitations').).

That House Bill No. 74 be further amended by striking all of Section 4, and, as amended, recommend that the bill do pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 59, respectfully report as follows:

That House Bill No. 59 do pass and be referred to the Committee on Appropriations.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 60, respectfully report as follows:

That House Bill No. 60 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 58, respectfully report as follows:

That House Bill No. 58 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Memorial No. 4 introduced by Domke, Loble, Burns and Smith: A Joint Memorial entitled: "A Memorial to the Congress of the United States of America, to the Honorable United States Senators James E. Murray and Zales N. Ecton, and to the Honorable Representatives in Congress Mike Mansfield and Wesley A. D'Ewart, requesting the 81st Congress introduce and pass the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the 80th Congress." Referred to Committee on Federal Relations.

House Bill No. 86, introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1346, Revised Codes of Montana of 1935, providing for an Adjutant General of the State of Montana, and an Assistant Adjutant General of the State of Montana, and prescribing their duties." Referred to Committee on Military Affairs.

House Bill No. 87 introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 4, Chapter 206 of the Laws of the Twenty-eighth Legislative Assembly, of the State of Montana, 1943, relating to a predatory animal control program for sheep protection and fixing a license fee to support such program and providing that the annual license fee levied by the Board of County Commissioners upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county shall remain in force from year to year unless repealed by the board upon petition of the owners of at least fifty-one per cent (51%) of the sheep in the county." Referred to Committee on Livestock and Public Ranges.

House Bill No. 88 introduced by Blenkner: A bill for an act entitled: "An act to amend Sections 2678 and 2702 of the Revised Codes of Montana of 1935, as amended by Chapter 137, Laws of Montana, 1941, relating to electrical construction." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 89 introduced by Haytin and Laas: A bill for an act entitled: "An act to appropriate money from the State Aviation Fund and

of federal funds received for the use of the State Aeronautics Commission, for the operation and maintenance of the State Aeronautics Commission for the period beginning July 1, 1949, and ending June 30, 1951." Referred to Committee on Appropriations.

House Bill No. 90 introduced by Haytin, Karlberg and Holding: A bill for an act entitled: "An act placing the responsibility of the building, repairing and maintaining State highways, where they pass through cities and towns, on the State Highway Commission and Department and relieving cities and towns from damages caused by the condition, building, repairing and maintaining the same; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 91 introduced by Domke, Loughran, Cunningham, Hall, Dokken, Pierce and Standish: A bill for an act entitled: "An act relating to the creation and establishment of a State board to be known as the Montana Economic Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for a supplemental appropriation for money out of the State Treasury not otherwise appropriated for the purposes in this act expressed; giving authority to said board to contract." Referred to Committee on Development and Publicity.

House Bill No. 92 introduced by Domke: A bill for an act entitled: "An act to repeal Chapter 3 of the Laws of the Twenty-ninth Legislative Assembly, 1945, the same being an act entitled, 'An act relating to and specifying inheritance taxes imposed upon the personal property of non-resident decedents, and providing for a reciprocal exemption' and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 93 introduced by Domke: A bill for an act entitled: "An act to amend Section 10400.1 (3) of the Revised Codes of Montana, 1935, relating to transfers in contemplation of death." Referred to Committee on Revenue and Taxation.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Mr. Speaker appointed Dwyer of Silver Bow to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 13 do pass.

That House Bill No. 16 do pass.

That House Bill No. 18 do pass.

That House Bill No. 53 do pass.

That House Joint Memorial No. 2 do pass.

That Senate Bill No. 2 be concurred in.

That House Bill No. 48 be passed for the day.

DWYER, Chairman.

Report adopted.



## MOTIONS AND RESOLUTIONS

Moved by Oliver that House Bill No. 48 be taken from General Orders and be re-referred to the Committee on Mileage and Per Diem. Carried.

Moved by Loble, that the House recess until 2:00 P.M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 16, 40 and House Joint Memorial No. 2.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By McElwain, Dwyer, Koch and Emmons: A bill for an act entitled: "An act permitting actions on tort claims against the State of Montana and describing the practice and procedure therefor."

By Smith: A bill for an act entitled: "An act allowing all licensees, licensed under the "State Liquor Control Act of Montana" as amended to sell liquor at retail, to purchase liquor as defined in said act at 10% below the cost charged the holders of individual permits."

By Holding, Emmons, Smith, Ganson, Burns, Peterson, Trout, Dusak, Gunderson, Holtz, Harken, Tripp and Mernin: A bill for an act entitled: "An act to amend Section 3, Subsection (d) of Section 4, and Subsection (C) of Section 7 (b) (1) of Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164, Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, and as amended by Chapter 233, Session Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, and as amended by Chapter 190, Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, and as amended by Chapter 245, Session Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, providing for payment of benefits and allowing additional benefits for dependents; providing for benefit eligibility conditions; and providing for and governing contributions made by employers and eliminating chargebacks as a factor in making classifications for experience rating; all of the above being amendments to the unemployment compensation law of the State of Montana."

By Public Health and Sanitary Affairs, Jarussi, Chairman: A bill for an act entitled: "An act to create the Montana State Board of Practical Nurses and defining its powers and duties; providing for the examination, licensing and regulation of practical nurses; providing for the accreditation and survey of courses for training practical nurses; defining certain violations and providing for the prosecution and penalties thereof."

By Committee on Agriculture, Gunderson, Chairman: A bill for an act entitled: "An act to amend Sections 350.1, 351, 354.1, 360, 361, Revised Codes of Montana, 1935, relating to State Hail Insurance; maximum insurance allowed; limitation of tax levies; and application thereof; foreclosure of liens; appointment of appraisers; payment of losses; and other matters pertaining to hail insurance."

By Wiedman: A bill for an act entitled: "An act to amend Sections 3 and 4 of Chapter 126 of the Session Laws of Montana for 1939, relating to waterworks and sewerage systems and the issuance of revenue bonds



therefor by cities and towns; providing for the issuance of revenue bonds which are junior in standing to other revenue bonds; providing for the acceptance by cities and towns of loans, grants and contributions and providing for contracts by cities and towns with industrial establishments and with other cities and towns."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend subsection (d) of Section III of Part V of Chapter 82 of the Laws of 1937 relating to eligibility for aid to needy blind and repealing all acts and parts of acts in conflict herewith."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section III of Part IV of Chapter 82 of the Laws of 1937 as amended by Section 1 of Chapter 148 of the Laws of 1947, relating to the eligibility of dependent children to receive assistance."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to authorize in certain instances the boards of county commissioners to levy an additional tax of not to exceed four (4) mills for the county poor funds."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section IX of Part III of Chapter 82 of the Laws of 1937, relating to the receipt of excess payments of old age assistance, the recovery of same, distribution of proceeds and repealing all acts in conflict herewith."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section XII of Part II of Chapter 82 of the Laws of 1937, to amend Section III of Part III of Chapter 82 of the Laws of 1937, to amend Section IV of Part V of Chapter 82 of the Laws of 1937 as amended by Section 8 of Chapter 117 of the Laws of 1941 as amended by Section 8 of Chapter 213 of the Laws of 1943, relating to the determination of the right to and amounts of assistance in certain cases and repealing all acts in conflict herewith."

By Committee on Social Security, McKenna Chairman: A bill for an act entitled: "An act providing for method of payment for board and room of dependent and neglected children placed in approved family foster homes by the Department of Public Welfare and for reimbursement by counties to the state department for one-half of such payments and the distribution of any recoveries and repealing all acts and parts of acts in conflict herewith."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 51, respectfully report as follows:

That House Bill No. 51 be amended as follows:

Page 5, line 18, Section 29, strike out the word "not".  
and as amended recommend that the bill do pass.

JARUSSI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 63, respectfully report as follows:

That House Bill No. 63 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 76, respectfully report as follows:

That House Bill No. 76 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 77, respectfully report as follows:

That House Bill No. 77 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 78, respectfully report as follows:

That House Bill No. 78 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 86, respectfully report as follows:

That House Bill No. 86 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Memorial No. 1, respectfully report as follows:

That House Memorial No. 1 be amended as follows:

Striking out in line 5 of the title, in the original memorial, between "and" and "Wesley", the mark (/) and the word "or".  
and that as amended, the Memorial do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, respectfully report as follows:

That House Joint Memorial No. 4 do pass.

PETERSON, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Senate Joint Resolution No. 1 — Committee on Employment.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

#### MOTIONS AND RESOLUTIONS

It was moved by Phillips, that the House extend to the Committee on State Lands, ten additional days for consideration of House Bill No. 36.  
Carried.

It was moved by Loble, that House Bill No. 40 be taken from Engrossing and be re-referred to the Committee on Education. Carried.

## INTRODUCTION OF BILLS, MEMORIALS AND RESOLUTIONS

The following bills, memorials and resolutions were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

Senate Joint Resolution No. 1 introduced by Committee on Employment: "A Joint Resolution declaring an emergency to exist up to and including March 3, 1949, and providing for the compensation and employment of additional help in addition to the employees enumerated in Section 62 of the Revised Codes of Montana for 1935 for the Senate during the Thirty-first Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana for 1935, and providing that such additional employment and said emergency shall cease not later than March 3, 1949." Referred to Committee on Employment.

House Bill No. 94 introduced by Tripp and Burns: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana amendments to Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 19, 21, 24, 27, 28, 32, 40, 41, 45, of Article V of the Constitution of Montana, relating to the legislative authority of the State of Montana, and providing that beginning with the regular session of the legislature in 1953 the legislative authority of the State of Montana shall be vested in a unicameral Legislative Assembly of not less than forty nor more than sixty members, and providing for the election of the members of this Legislative Assembly, their term of office, and salaries; and providing further that all provisions in the Constitution and laws of the state relating to the legislature, Senate, and House of Representatives, and the Joint Session thereof, to mean, in so far as applicable, said legislature of one House; and providing for the repeal of Sections 3, 4, 5, 6, of Article VI of the Constitution of the State of Montana and providing for the repeal of all acts or parts of acts and constitutional provisions in conflict herewith." Referred to Committee on Constitutional Amendments.

House Joint Memorial No. 5 introduced by Committee on Petroleum, Oil and Gas: A Joint Memorial entitled: "A Joint Memorial to the President of the United States, and to the Honorable James E. Murray and Zales N. Ecton, Senators from the State of Montana, and Mike Mansfield and Wesley A. D'Ewart, Congressmen from the State of Montana, for appropriate action to alleviate the shortage of tubular goods and steel necessary for the development of Montana's oil and gas resources, and for the end of discrimination against Montana by the shipment of steel and tubular goods to foreign countries for the development of oil and gas resources in such foreign countries, and the end of the 'gray market' in steel." Referred to Committee on Petroleum, Oil and Gas.

## THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Bill No. 2 was concurred in by the following vote: Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon,

Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Andersen (Richland), Aronow, Brenner, Dwyer, Hess, McKenna, Page (Missoula), Sales, Taber and Taylor. Total 10.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 40 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 79.

Noes: Corcoran. Total 1.

Absent and not voting: Andersen (Richland), Aronow, Brenner, Duncan, Dwyer, Harpster, Hess, McKenna, Page (Missoula), and Skibby. Total 10.

House Bill No. 16 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McElwain, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Pierce, Robertson, Sales, Taber, Tripp, Trout, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 57.

Noes: Armstrong, Ballard, Brenner, Clark (Silver Bow), Corcoran, Dwyer, Esp, Ewing, Foley, Hall, Howard, Loughran, McCarthy, Martin, Mernin, Peters, Phillips, Rostad, Scofield, Smith, Standish, Taylor, Tierney, Van Dyke, Williams and Working. Total 26.

Absent and not voting: Andersen (Richland), Aronow, Duncan, Hess, McKenna, Page (Missoula), Skibby. Total 7.

House Joint Memorial No. 2 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark

(Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, and Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Andersen (Richland), Aronow, Brenner, Duncan, Harpster, Hess, Krieg, McKenna, Page (Missoula), and Skibby. Total 10.

It was moved by Loble, that the House adjourn until 10:30 A. M. Saturday, January 22. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## TWENTIETH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 22, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call all members were present except Aronow, Harken, Harlow, Hoiness, Karlberg, Mernin, Nixon, Skibby and Tierney, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Nineteenth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 67, 68, 69, 12, 70 and House Joint Memorial No. 3 have been returned correctly printed.

O'NEIL, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Taylor: A bill for an act entitled: "An act to amend Section 6909, Revised Codes of Montana, 1935, relating to acknowledgments; where and by-whom same may be taken."

By Taylor: A bill for an act entitled: "An act to amend Section 8896, Revised Codes of Montana, 1935, relating to jury lists, by whom and when to be made."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had



under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79, be referred to the Committee on Appropriations. Do pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39, be amended to read as follows: Strike out in lines 4 and 5 the words, "Penalty, and Interest of Delinquent Assessments", and to amend Section 1 thereof by striking out in lines 9 and 10, the words and figures, "Six Thousand Five Hundred Twenty-eight and 73/100 Dollars (\$6,528.73) and inserting in lieu thereof, the words and figures, "Five Thousand Eighty-one and 40/100 (\$5,081.40)"; and by striking out in lines 13, 14, 15, 16 and 17, the words and figures "in the amount of Five Thousand Eighty-one and 40/100 Dollars (\$5,081.40) penalty in the amount of Ninety-four and 17/100 (94.17), interest in the amount of One Thousand Three Hundred Fifty-three and 16/100 Dollars (\$1,353.16)", and by striking out in lines 27, 28, and 29 the words, "The North half of the Southwest Quarter, the Southwest Quarter, and the North Half of Section Sixteen, in Township Twenty-six North of Range Four West, N. M.;" and inserting in lieu thereof, the words "all of Section Sixteen (16), in Township Twenty-six North of Range Four West, M. M.;" and as amended, be referred to the Appropriations Committee. Do pass.

BARNARD, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble, that messages from the Senate be considered read at length and the Journal so show. Carried.

## INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 95, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend subsection (d) of Section III of Part V of Chapter 82 of the Laws of 1937 relating to eligibility for aid to needy blind and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 96, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section IX of Part III of Chapter 82 of the Laws of 1937 relating to the receipts of excess payments of old age assistance, the recovery of same, distribution of proceeds and repealing all acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 97, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section XII of Part II of Chapter 82 of the Laws of 1937, to amend Section III of Part III of Chapter 82 of the Laws of 1937, to amend Section IV of Part V of Chapter 82 of the Laws of 1937 as amended by Section 8 of Chapter 117 of the Laws of 1941 as amended by Section 8 of Chapter 213 of the Laws of 1943, relating to the determination of the right to and amounts of assistance in certain cases and repealing all acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 98, introduced by Committee on Social Security: A bill for an act entitled: "An act providing for method of payment for board and room of dependent and neglected children placed in approved family foster homes by the Department of Public Welfare and for reimbursement by counties to the state department for one-half of such payments and the distribution of any recoveries and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 99, introduced by Committee on Social Security: A bill for an act entitled: "An act to authorize in certain instances the Boards of County Commissioners to levy an additional tax of not to exceed four (4) mills for the county poor funds." Referred to Committee on Social Security.

House Bill No. 100, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section III of Part IV of Chapter 82 of the Laws of 1937 as amended by Section 1 of Chapter 148 of the Laws of 1947, relating to the eligibility of dependent children to receive assistance." Referred to Committee on Social Security.

House Bill No. 101, introduced by Burns, O'Neil, Tripp, Mernin, Dwyer, Goodgame, Culbertson, Aronow, Armstrong, Clark (Musselshell): A bill for an act entitled: "An act to amend Sections 1529 and 1533, Revised Codes of Montana, 1935, and Section 1535, Revised Codes of Montana, 1935, as amended by Section 81, Session Laws, 1945, relating to the Montana soldiers' home." Referred to Committee on Military Affairs.

House Bill No. 102, introduced by Andersen (Richland): A bill for an act entitled: "An act designating all bridges, public or private, crossing streams or rivers in the State of Montana, as roads upon which moneys of the State Highway Fund may be expended by the State Highway Commission; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 103, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3308.1 Revised Codes of Montana, 1935, providing for the filing of chattel mortgages upon livestock in the office of the General Recorder of Marks and Brands, furnish lists of said notices of mortgages to all stock inspectors providing for the prescribing of forms for the Livestock Commission and to provide that no livestock market shall be held liable to any mortgagee who fails to record his mortgage with the Recorder of Marks and Brands for money paid to the mortgagor." Referred to Committee on Livestock and Public Ranges.

House Bill No. 104, introduced by Wiedman: A bill for an act entitled: "An act to amend Sections 3 and 4 of Chapter 126 of the Session Laws of Montana for 1939, relating to waterworks and sewerage systems and the issuance of revenue bonds therefor by cities and towns; providing for the issuance of revenue bonds which are junior in standing to other revenue bonds; providing for the acceptance by cities and towns of loans, grants and contributions and providing for contracts by cities and towns with industrial establishments and with other cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 105, introduced by Scofield, Esp, Emmons and Howard: A bill for an act entitled: "An act to amend Chapter 150 of the Laws of 1945, as amended by Chapter 91 of the Laws of 1947, relating to the salaries of county officers and providing a method and procedure for fixing and determining such salaries and requiring County Commissioners to fix such salaries in accordance with such method and procedure, by providing that the salary schedule set out in Section One (1) thereof shall be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated in said section; by providing that all salaries fixed by all other sections of said chapter be increased so as to provide a six hundred dollar (\$600.00) annual salary increase for the officers enumerated therein; by providing that populations of the various counties shall be com-

puted on the basis of the annual estimation of population of the Federal Census Bureau for the purpose of computing that portion of officers' salaries to be taken from salary column A of Section 1 of said chapter; providing that this act shall be in full force and effect from and after its passage and approval, but shall not effect an increase of the salary of any public officer who is in office at the date this act goes into effect; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 106, introduced by Dusak, Gunderson, Holtz, Harken, Tripp, Mernin, Burns, Peterson, Trout, Holding, Emmons, Smith and Ganson: A bill for an act entitled: "An act to amend Section 3, Subsection (d) of Section 4, and Subsection (c) of Section 7 (b) (1) of Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and by Chapter 164, Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, and as amended by Chapter 233, Session Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, and as amended by Chapter 190, Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, and as amended by Chapter 245, Session Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, providing for payment of benefits and allowing additional benefits for dependents; providing for benefit eligibility conditions; and providing for and governing contributions made by employers and eliminating chargebacks as a factor in making classifications for experience rating; all of the above being amendments to the Unemployment Compensation Law of the State of Montana." Referred to Committee on Social Security.

House Bill No. 107, introduced by Holding, Mulroney, McElwain, Armstrong, Loble, Bricker, Emmons, Trout, Goodgame and Hoiness: A bill for an act entitled: "An act to amend Section 2917, Revised Codes of Montana, 1935, as amended by Chapter 229 of the Session Laws of 1943, and by Chapter 213 of the Session Laws of 1945, relating to medical, hospital and other services furnished to injured workmen under the Workmen's Compensation Act, by increasing the amount of such services to not exceed the sum of one thousand dollars (\$1,000)". Referred to Committee on Workmen's Compensation.

House Bill No. 108, introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to provide for the conservation and protection from fire of forests and forest lands and to amend Section 11500, Revised Codes of Montana, 1935, and providing penalties for the careless or negligent setting of fire to any timber, woodland or grass without taking sufficient and adequate steps to secure said fire from spreading and for the failure to extinguish any such fire before leaving said fire." Referred to Committee on Conservation of Resources.

House Bill No. 109, introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act to amend Section 1830.3, Revised Codes of Montana, 1935, and to increase the salary of the State Forester of the State of Montana." Referred to Committee on Conservation of Resources.

House Bill No. 110, introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act appropriating moneys for the purpose of complying with the provisions of Section 2, Chapter 141, Session Laws of 1937; Section 6, Chapter 128, Session Laws of 1939; and Section 1, Chapter 193, Session Laws of 1947 authorizing and empowering the granting of advice and assistance to farmers and others in the establishment and maintenance of forest tracts, woodlots, windbreaks, and shelterbelts within the state." Referred to Committee on Conservation of Resources.

House Bill No. 111, introduced by Holding, Koch, O'Neil and Karlberg: A bill for an act entitled: "An act providing for the further conservation and protection of forests and forest lands; providing for the method or methods of slash and debris treatment, protection or disposal and amending

Sections 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, as heretofore amended." Referred to Committee on Conservation of Resources.

House Bill No. 112, introduced by Loble and Bricker: A bill for an act entitled: "An act to establish a wood molasses pilot plant and research program at Montana State college, at Bozeman, Montana, for the purpose of carrying on scientific and applied research in the production of wood molasses and other by-products of the wood hydrolysis process, providing for a director of said pilot plant, authorizing the said director to obtain such equipment, facilities and staff as may be necessary and proper to carry on such work, and providing that said director may make appropriate rules and regulations, and to make appropriations therefor." Referred to Committee on Appropriations.

House Bill No. 113, introduced by McCarthy: A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games, and slot machines; providing a license fee for the operation of such games and slot machines and fixing the amount and disposal of such fees; defining the powers and duties of the State Board of Equalization of the State of Montana and the treasurer and sheriff of the counties of the State of Montana in the administration and enforcement of this act and in the suspension or revocation of such licenses; providing for hearing before suspension or revocation; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or slot machines or frequenting premises where the same are conducted or operated; authorizing counties and cities to levy and collect a license tax in addition to the state license tax herein provided for; providing penalties for the violation of the provisions of this act; providing for local option by counties in relation to the adoption of this act; repealing Section 11159, Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of 1937, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 114, introduced by Smith: A bill for an act entitled: "An act allowing all licensees, licensed under the "State Liquor Control Act of Montana" as amended, to sell liquor at retail, to purchase liquor as defined in said act at 10% below the cost charged the holders of individual permits." Referred to Committee on Liquor Control.

House Bill No. 115, introduced by Committee on Public Health and Sanitary Affairs: A bill for an act entitled: "An act to create the Montana State Board of Practical Nurses and defining its powers and duties; providing for the examination, licensing and regulation of practical nurses; providing for the accreditation and survey of courses for training practical nurses; defining certain violations and providing for the prosecution and penalties thereof." Referred to Committee on Public Health and Sanitary Affairs.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Cotton of Valley to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 42 be passed for the day.

That House Bill No. 47 do pass.

COTTON, Chairman.

Report adopted.



Moved by Loble, that the House adjourn until 11:00 A.M. Monday January 24, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TWENTY-SECOND LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 24, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members were present except Beck, Frerich, Gunderson, Karlberg, Page (Missoula), Mulrone and Harpster, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Twentieth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 31 has been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg to report the following bills correctly engrossed: House Bill Nos. 13, 18, 53 and 47.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following:

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the state purchasing department."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the county attorneys."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the University of Montana, Missoula, Montana."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Montana Highway Patrol."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the capitol custodian."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of certain



deficiency claims arising for obligations incurred by transportation of prisoners."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Veterans Welfare Commission."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the 1947 Legislative Assembly of the State of Montana."

By Barnard, Anderson (Phillips), Frerich, Cotton, Harlow and Aronow: A bill for an act entitled: "An act providing for a producers' license tax on all persons engaging in the business of producing within the State of Montana natural gas for sale, barter or exchange; defining words and terms; requirement for keeping records and making reports; fixing method for computation of the tax; prescribing method of assessment, payment and collection of the tax; for payment of proceeds into General Fund; providing penalties for violation of this act; and matters relating thereto."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935 as amended by Chapter 115 of the Laws of 1941 as amended by Chapter 51 of the Laws of 1947, and to repeal Sections 5867, 1507, 1508, 1509, and 1510 relating to the consent to adopt minor children of divorced parents, and children who are residing in the state orphans' home or any other public institution of the State of Montana, or any other asylum or institution of the state, and repealing all acts and parts of acts in conflict herewith."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act prohibiting the removal of a child born in the State of Montana to any other state or country for purposes of adoption by persons other than the natural parent or parents without the consent of a licensed adoption agency or the State Department of Public Welfare, and providing penalty for violation of said act."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section 5862 of the Revised Codes of Montana as amended by Chapter 181 of the Laws of 1945 relating to the examination or hearing of persons seeking to adopt children, and repealing of acts and parts of acts in conflict herewith."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act requiring that before an order of adoption may be made in any case by the district court, except in the case of a step-parent it must appear that the child to be adopted has resided in the proposed adoptive home for a period of at least a year unless for good cause it is decided otherwise. All acts and parts of acts in conflict herewith are hereby repealed."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to define, regulate and license agencies for the adoption of minor children and providing penalties for the violation thereof."

By Committee on Social Security, McKenna, Chairman: A bill for an act entitled: "An act to amend Section 5866 of the Revised Codes of Montana of 1935 relating to the consent to the adoption of an abandoned minor child, and repealing all acts and parts of acts in conflict herewith."

By Hunter: A bill for an act entitled: "An act to amend Section 2815.69 Revised Codes of Montana, 1935, as amended by Section 4, Chapter 30, Montana Session Laws of 1937 as amended by Chapter 237 Montana Session Laws of 1947, relating to classification of state liquor stores."

By Committee on Revenue and Taxation, Domke, Chairman: A bill for an act entitled: "An act relating to licensing of slot machines; defining terms; specifying amount of license fees and for distribution thereof to state, county and incorporated cities and towns; providing for administration and enforcement of the act by State Board of Equalization and law enforcement officers; prohibiting persons under 21 years of age from playing slot machines; providing penalties for violations of this act, suspension and revocation of license; and other provisions relating to this act; and repealing all acts or parts of acts in conflict herewith."

By Dwyer, Tierney, Ballard, Foley, McCarthy, Mernin, Clark (Silver Bow), Loughran, Jarussi and Cunningham: A bill for an act entitled: "An act providing that disabled veterans of the State of Montana may hunt and fish, all as authorized by law and without obtaining a license, providing such resident shall have first secured a permit to so hunt and fish, the form of which shall be prescribed by the Montana Fish and Game Commission, and which shall be issued by the proper authorities upon the proper showing being made by the disabled veteran of his or her disability, and defining the terms of this act used herein and repealing all acts and parts of acts in conflict herewith."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 be amended as follows: By striking from lines 19 and 20 of Section 1 of the typewritten bill the words and figures, "August 14, 1946", and inserting in lieu thereof the words and figures, "December 31, 1948", and by striking from line 21 of said Section 1 the words and figures "August 14, 1946", and inserting in lieu thereof the words and figures, "December 31, 1948"; and that as so amended, the bill do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Aviation, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

LAAS, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by McCarthy that action of the House in adopting an adverse committee report on January 20 on House Bill No. 44 be reconsidered.

A roll call vote having been demanded by the required number and necessary seconds for Journal entry, roll call vote was as follows: Andersen (Richland), Anderson (Hill), Barnard, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Dusak, Emmons, Goodgame, Helding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, MacDonald, McCarthy, Mernin, Michels, Page (Granite), Peterson, Smith, Tripp, Trout, Van Dyke, Wilson (Judith Basin).

Ayes: 30.

Noes: Anderson (Phillips), Armstrong, Aronow, Ballard, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Duncan, Duppler, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Hunter, Krieg, Laas, Loble, Loughran, McElwain, McKenna, Martin, Nixon, Oliver, O'Neil, Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skbiby, Standish, Taber, Tierney, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker. Total 53.

Absent and not voting: Beck, Frerich, Gunderson, Koch, Mulroney, Page (Missoula), Taylor. Total 7.

### INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees: Appropriation bills having been read at length.

House Bill No. 116, introduced by Taylor: A bill for an act entitled: "An act to amend Section 8896, Revised Codes of Montana, 1935, relating to jury lists, by whom and when to be made." Referred to Committee on Judiciary.

House Bill No. 117, introduced by Taylor: A bill for an act entitled: "An act to amend Section 6906, Revised Codes of Montana, 1935, relating to acknowledgments; where and by whom same may be taken." Referred to Committee on Judiciary.

House Bill No. 118, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3761, of the Revised Codes of Montana, 1935, as amended by Section 28 of Chapter 224, Laws of the Thirtieth Legislative Assembly, 1947, relating to the creation of game preserves, boundaries, provisions thereof, eliminating the provisions creating the Snow creek game preserve; and penalties for violation of the provisions of this act; and to repeal Sections 3762, 3766, 3776.15 of the Revised Codes of Montana, 1935, also relating to game preserves." Referred to Committee on Fish and Game.

House Bill No. 119, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game, by adding a sub-section to be known as Section 3694.3, relating to the authority of the fish and game commission to prohibit the use of small fish, dead or alive, in any stream or lake in the State of Montana; and making it unlawful for any person or persons to transplant or introduce any species of fish, game birds or game animals without authorization from the Fish and Game Commission; and providing penalties for violation of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 120, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, as amended by Chapter 174 of the Laws of the Twenty-sixth Legislative Assembly, 1939, and as amended by Chapter 215 of the Thirtieth Legislative Assembly, 1947, relating to the classes of licenses for hunting and taking game and fish and furbearing animals within the State of Montana; the fees and powers under such licenses; providing rules for determining residence for the purpose of issuing resident hunting and fishing licenses; providing the penalty for violation of the act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 13 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg,

Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 77.

Noes: Cunningham, Van Dyke. Total 2.

Absent and not voting: Anderson (Phillips), Armstrong, Beck, Frerich, Gunderson, Koch, Laas, Mulroney, Nixon, Page (Missoula) and Taylor. Total 11.

House Bill No. 18 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 80.

Noes: None.

Absent and not voting: Armstrong, Beck, Frerich, Gunderson, Koch, Laas, Mulroney, Nixon, Page (Missoula) and Taylor. Total 10.

House Bill No. 47 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 78.

Noes: None.

Absent and not voting: Armstrong, Beck, Frerich, Gunderson, Harlow, Koch, Laas, Mulroney, Nixon, Page (Missoula), Taylor, Tierney. Total 12.

House Bill No. 53 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Page



(Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 80.

Noes: None.

Absent and not voting: Beck, Frerich, Gunderson, Koch, Laas, Mulroney, Nixon, Page (Missoula), Taylor, Tierney. Total 10.

### REPORTS OF SELECT COMMITTEES

The Speaker announced the Committee on Memorials as follows: Foley, Chairman; Williams, Skibby and McElwain.

Moved by Loble, that the House recess until 2:00 P. M. this day. Carried.  
House resumed.

### COMMUNICATIONS AND PETITIONS

January 20, 1949.

Honorable Leo C. Graybill,  
Speaker of the House,  
31st. Legislative Assembly,  
State of Montana,  
Helena, Montana.

Honorable Sir:

The report of the Commission appointed to study occupational diseases in the State of Montana, pursuant to an act of the 30th. Assembly, 1947, Chapter 242, approved March 7, 1947.

The union, having had an opportunity to study said report, now wishes to register its official objection and exceptions to the report based on the following grounds:

1.— The Commission confined its survey to an analysis of the cases receiving silicosis benefits from the state as of December, 1947. To receive such benefits one must be totally disabled for work. In short, such recipients of benefits are suffering from silicosis in the third stage. Now every reliable authority on silicosis states that for every one case found in the third stage there are several cases in the first and second stages. Apparently the commission simply ignored the possibility of the existence of numerous first and second stage silicotics.

2.— The conclusion that silicosis is confined to the age group between 49 and 78 years is without any foundation in fact.

3.— The conclusion that mining companies have taken measures for the prevention of silicosis is not born out by existing conditions.

4.— The conclusion that silicosis is "definitely on the decline and no longer a menace in Montana" is belied by the very selfsame statistics on which the commission bases its report. The reverse is the truth of the matter.

5.— Despite the direction of the Legislative Assembly "to make a comprehensive and detailed survey of occupational diseases" it does not appear that any effort was made to secure information as to the extent of occupational diseases other than silicosis, such as lead poisoning, arsenic poisoning, the effects of acid fumes on workers, etc.



For the above mentioned reasons it is respectfully requested that prior to any action being taken on the report that public hearings dealing with the matter contained in the report be scheduled by the proper Committee of the Legislative Assembly, and that the officers and members of this organization be afforded an opportunity to appear and give testimony.

With best wishes, we remain,

Respectfully yours,

Butte Miners' Union No. 1,

Neal E. Shea, Recording Secretary.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Emmons and Smith: A bill for an act entitled: "An act to amend Section 12264, Revised Codes of Montana, 1935, relating to parol of prisoners in state prison; providing that no convict serving a sentence for the crime of rape committed upon a female under the age of eighteen (18) years be paroled."

By Scofield and Esp: A bill for an act entitled: "An act to prohibit the installation, operation, or use of television receiving sets or television screens in motor vehicles within the range of vision of the drivers or operators thereof, providing such installation, operation, or use by any person shall constitute a misdemeanor, providing penalties upon conviction of violation, and providing when this act shall take effect."

By O'Neil, Ganson, Trout, Burns, Koch and Aronow: A bill for an act entitled: "An act creating authority to subsidize the education of dependent crippled children; defining the age limits of dependent crippled children for the purposes of this act; providing for home tutorial service; providing for the transportation of dependent crippled children to and from educational institutions; providing for a tax levy for the support and maintenance thereof, and repealing all acts and parts of acts in conflict herewith."

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to amend Section 2294.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans' Administration of the United States government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict."

By Working, Hoiness, Tripp, Peters, Page (Missoula), Mulroney, Burns, Dokken, Westlake, Bricker, Brenner, Ballard, McCarthy, Robertson, Goodgame, Taber, Wiedman and Armstrong: A joint resolution entitled: "A joint resolution relative to designation of certain highways as blue star memorial highways."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 be referred to Judiciary Committee.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having

had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do pass.

CLARK, (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

CLARK, (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 be amended as follows:

In Section 1, Page 2, Line 14 of the original bill, strike out the figure "3" and insert in lieu thereof the figure "5".

On page 3, line 9, insert after the figures "(\$5,000.00)" the words "per annum".

On page 7, line 7, after the words "nineteen hundred thirty-eight" insert the words and figures "or the school year 1938";

On page 10, line 26 of the original bill, strike out the ";" after the word "allowance" and insert the following words, "if he is eligible for a superannuation allowance;"

And on page 21, line 23, of the original bill, following the word "served" insert the words "as a teacher".

And as so amended recommend the bill do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do pass.

McCARTHY, Chairman.

Report adopted.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Mr. Speaker appointed Armstrong to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 42 the enacting clause be stricken.

That House Bill No. 67 do pass.

That House Bill No. 68 do pass.

That House Bill No. 69 do pass.

That House Bill No. 70 do pass.

That House Bill No. 12 do pass.

That House Joint Memorial No. 3 do pass.

That House Bill No. 35 do pass.

ARMSTRONG, Chairman.

Report adopted.

Moved by Tripp that House Bill No. 42 be segregated from the Committee of the Whole.

A roll call vote having been demanded by the required number and necessary seconds for Journal entry, roll call vote was as follows: Andersen (Richland), Anderson (Hill), Barnard, Burns, Clark (Musselshell), Cotton, Culbertson, Emmons, Foley, Goodgame, Harlow, Holding, Holtz, Jarussi, Jensen, Karlberg, Loble, MacDonald, McCarthy, Mernin, Michels, O'Neil, Peterson, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Mr. Speaker.

Ayes. 30.

Noes: Armstrong, Ballard, Beck, Blenkner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Domke, Duncan, Duppler, Esp, Ewing, Frerich, Ganson, Gebhardt, Harken, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Koch, Krieg, McElwain, Martin, Nixon, Oliver, Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Wiedman, Wilson (Treasure). Total 39.

Absent and not voting: Anderson (Phillips), Aronow, Brenner, Cunningham, Dusak, Dwyer, Gunderson, Hall, Hess, Laas, Loughran, McKenna, Mulrone, Page (Granite), Page (Missoula), Standish, Taylor, Westlake, Williams, Wilson (Judith Basin), Working. Total 21.

Moved by Loble, duly seconded, that the House adjourn until 10:30 A. M. January 25, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TWENTY-THIRD LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 25, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Corcoran, Gunderson, McKenna, Michels, Standish and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the twenty-second Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 58, 74, 77, 63, 86, 60, 75, 76, 61 and House Joint Memorial No. 4 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 12, 70, 67, 35, 68 and House Joint Memorial No. 3.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Clark (Silver Bow) and Cunningham: A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, as amended by Chapter 198, Laws of the Twenty-eighth Legislative Assembly, 1943, relating to the operation of motor vehicles while in an intoxicated condition or under the influence of intoxicating liquor, drugs or narcotics, prescribing the penalties for violation of the provisions of this act and for the revocation of driver's license, and repealing all acts and parts of acts in conflict herewith."

By Holtz, Dusak, Wilson (Judith Basin) and Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163 Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana."

By Hess, Holtz, Esp and Scofield: A bill for an act entitled: "An act designating the salaries of the governor, justices of the supreme court, attorney general, secretary of state, superintendent of public instruction, state treasurer, state auditor, clerk of the supreme court, and members of the Board of Railroad Commissioners; providing that such salaries shall not include actual and necessary traveling, lodging and subsistence incidental to official duties of the aforesaid officers; repealing Sections 128, 200, 436, and 8796, Revised Codes of Montana, 1935, Section 375, Revised Codes of Montana, 1935, as amended by Chapter 64, Laws of 1945, Section 949, Revised Codes of Montana, 1935, as amended by Chapter 177, Laws of 1947, that portion of Section 378, Revised Codes of Montana, 1935, establishing compensation of supreme court justices for reporting decisions of the supreme court, that portion of Section 162, Revised Codes of Montana, 1935, relating to the salary of the state auditor in his ex-officio capacity as Commissioner of Insurance, that portion of Section 3784, Revised Codes of Montana, 1935, establishing the salary of each railroad commissioner, and all other acts and parts of acts in conflict with this act, or any provision hereof; and providing when this act shall take effect."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do not pass.

But that Substitute House Bill No. 7, a bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans Administration of the United States government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and

who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict." Do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 34 respectfully report as follows: That House Bill No. 34 be amended as follows: That the figures and word in line 15, page 1, be underlined, and that the words and figures appearing in lines 17 through 21 be underlined; and that lines 22 through 30 be amended to read as follows:

"Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For amendment
- ☐ Against the amendment

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote."

And that lines 6 and 7, page 2, be stricken from the bill.

And respectfully report that the bill as so amended do pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 25 respectfully report as follows: That House Bill No. 25 be amended as follows: In line 28 of the original bill, Section 2, strike out the words: twenty-five thousand dollars (\$25,000), and insert in lieu thereof the following words: the sum set by law.

By striking out Section 5.

That Section 3 read: "Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I Chapter 67, Revised Codes of Montana, 1935 as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the amendment
- ☐ Against the amendment

Each elector shall designate his preference by marking an "X" in the space before the proposition for which such elector desires to vote."

And respectfully report as follows: That House Bill No. 25 as amended do pass.

TRIPP, Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 8, recommend that House Bill No. 8 be amended as follows:

That Section 3 read: "Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐ For the amendment

☐ Against the amendment

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote."

And that lines 30 and 31, page 2, be stricken from the bill.

And respectfully report as follows: That House Bill No. 8 as amended do pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 be taken from the Highways and Highway Transportation Committee and referred to the Judiciary Committee.

NIXON, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Helena, Montana,  
January 24, 1949.

Mr. Speaker:

Senate Bills Nos. 10, 14 and 9 were read third time and passed in the Senate and transmitted to the House for concurrence.

Respectfully,

LOU BRETZKE,  
Assistant Secretary of the Senate.

Moved by Loble, that the remainder of the Messages from the Senate be considered read at length and the Journal so show. Carried.

## MOTIONS AND RESOLUTIONS

Moved by Loble, that House Memorial No. 2 be introduced and read

at length and that the Chief Clerk of the House of Representatives be ordered to notify by wire the proper authorities mentioned thereon. Carried.

House Memorial No. 2: Introduced by Clark (Musselshell), Anderson (Hill), Tripp, Van Dyke, Emmons, Hess, and Loble. A house resolution to the president of the United States, Harry S. Truman; Julius Krug, secretary of the interior; Michael Straus, commissioner of reclamation; and all United States senators and representatives from the State of Montana; requesting immediate aid now for Montana livestock isolated on her ranges by critical extremes of winter weather.

WHEREAS: An extreme emergency exists which has already killed livestock valued in the millions of dollars, at once threatening to wipe out a large part of our most lucrative industry in this great state; and

WHEREAS: The peril of further livestock losses is so evident immediate feed supply for isolated herds must be forthcoming at once and in good quantity to prevent an unprecedented disaster; and

WHEREAS: The entire national economy rests on the firm level of a sound and prosperous livestock industry; same being most vital to our foreign aid program; and

WHEREAS: All agencies of government must mobilize at once in and about the danger areas to insure quick relief;

NOW THEREFORE BE IT RESOLVED, By the House of Representatives of the State of Montana; that all resources be made available now to get large and sufficient supplies of feed to Montana herds at once both by "airlift" and by breaking the way to them with snowplows and every other available means; and

BE IT FURTHER RESOLVED, That this memorial be wired immediately by the Chief Clerk of the House of Representatives to those persons and agencies concerned.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

Senate Bill No. 9, introduced by Committee on Counties and Towns: A bill for an act entitled: "An act to amend Section 4805, Revised Codes of Montana, 1935, relating to the receipt of instruments to be recorded by the county clerk and recorder." Referred to Committee on Townships and Counties.

Senate Bill No. 10, introduced by Ross and Lott: A bill for an act entitled: "An act to amend Section 5 of Chapter 208 of the Session Laws of Montana, 1939, relating respectively to the appointment of the secretary of the commission; the duties of said secretary; and the compensation of said secretary; all relating to the grass conservation act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 14, introduced by Haight: A bill for an act entitled: "An act to amend Section 786, Revised Codes of Montana, 1935, as amended by Section 3, Chapter 23, of the Session Laws of 1945, relating to filing and disposition of packages or envelopes containing election returns; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Privileges and Elections.

#### HOUSE BILLS

Substitute House Bill No. 7, introduced by Committee on Military

**Affairs:** A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans' Administration of the United States government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict." Referred to Committee on Printing.

House Bill No. 121, introduced by Hunter: A bill for an act entitled: "An act to amend Section 2815.69 Revised Codes of Montana, 1935, as amended by Section 4, Chapter 30, Montana Session Laws of 1937 as amended by Chapter 237 Montana Session Laws of 1947, relating to classification of state liquor stores." Referred to Committee on Liquor Control.

House Bill No. 122, introduced by Barnard, Cotton, Frerich, Harlow, Anderson (Phillips) and Aronow: A bill for an act entitled: "An act providing for a producers' license tax on all persons engaging in the business of producing within the State of Montana natural gas for sale, barter or exchange; defining words and terms; requirement for keeping records and making reports; fixing method for computation of the tax; prescribing method of assessment, payment and collection of the tax; for payment of proceeds into General Fund; providing penalties for violation of this act; and matters relating thereto." Referred to Committee on Revenue and Taxation.

House Bill No. 123, introduced by Committee on Social Security: A bill for an act entitled: "An act to define, regulate and license agencies for the adoption of minor children and providing penalties for the violation thereof." Referred to Committee on Social Security.

House Bill No. 124, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5862 of the Revised Codes of Montana as amended by Chapter 181 of the Laws of 1945 relating to the examination or hearing of persons seeking to adopt children, and repealing of acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 125, introduced by Committee on Social Security: A bill for an act entitled: "An act prohibiting the removal of a child born in the State of Montana to any other state or county for purposes of adoption by persons other than the natural parent or parents without the consent of a licensed adoption agency or the State Department of Public Welfare, and providing penalty for violation of said act." Referred to Committee on Social Security.

House Bill No. 126, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5866 of the Revised Codes of Montana of 1935 relating to the consent to the adoption of an abandoned minor child, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 127, introduced by Committee on Social Security: A bill for an act entitled: "An act requiring that before an order of adoption may be made in any case by the district court, except in the case of a step-parent it must appear that the child to be adopted has resided in the proposed adoptive home for a period of at least a year unless for good cause it is decided otherwise. All acts and parts of acts in conflict herewith are hereby repealed." Referred to Committee on Social Security.

House Bill No. 128, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935 as amended by Chapter 115 of the Laws of 1941 as amended by Chapter 51 of the Laws of 1947, and to repeal Sections 5867, 1507, 1508, 1509 and 1510 relating to the consent to adopt minor children

of divorced parents, and children who are residing in the state orphans' home or any other public institution of the State of Montana, or any other asylum or institution of the state, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 129, introduced by Emmons and Smith: A bill for an act entitled: "An act to amend Section 12264, Revised Codes of Montana, 1935, relating to parole of prisoners in state prison; providing that no convict serving a sentence for the crime of rape committed upon a female under the age of eighteen (18) years be paroled." Referred to Committee on Judiciary.

House Bill No. 130, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the State Purchasing Department." Referred to Committee on Appropriations.

House Bill No. 131, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the county attorneys." Referred to Committee on Appropriations.

House Bill No. 132, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the University of Montana, Missoula, Montana." Referred to Committee on Appropriations.

House Bill No. 133, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Montana highway patrol." Referred to Committee on Appropriations.

House Bill No. 134, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the capitol custodian." Referred to Committee on Appropriations.

House Bill No. 135, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by transportation of prisoners." Referred to Committee on Appropriations.

House Bill No. 136, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising for obligations incurred by the Veterans Welfare Commission." Referred to Committee on Appropriations.

House Bill No. 137, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain deficiency claims arising for obligations incurred by the 1947 Legislative Assembly of the State of Montana." Referred to Committee on Appropriations.

House Bill No. 138, introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act relating to licensing of slot machines; defining terms; specifying amount of license fees and for distribution thereof to state, county and incorporated cities and towns; providing for administration and enforcement of the act by State Board of Equalization and law enforcement officers; prohibiting persons under twenty-one years of age from playing slot machines; providing penalties for violations of this act, suspension and revocation of license; and other provisions relating to this act; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 139, introduced by O'Neil, Ganson, Trout, Burns, Koch and Aronow: A bill for an act entitled: "An act creating authority to subsidize the education of dependent crippled children; defining the age limits of dependent crippled children for the purposes of this act; providing



for home tutorial service; providing for the transportation of dependent crippled children to and from educational institutions; providing for a tax levy for the support and maintenance thereof, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 140, introduced by Dwyer, Tierney, Ballard, Foley, McCarthy, Mernin, Clark (Silver Bow), Loughran, Jarussi and Cunningham: A bill for an act entitled: "An act providing that disabled veterans of the State of Montana may hunt and fish, all as authorized by law and without obtaining a license, providing such a resident shall have first secured a permit to so hunt and fish, the form of which shall be prescribed by the Montana Fish and Game Commission, and which shall be issued by the proper authorities upon the proper showing being made by the disabled veteran of his or her disability, and defining the terms of this act used herein and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Joint Resolution No. 1, introduced by Bricker, Brenner, Ballard, McCarthy, Robertson, Goodgame, Taber, Wiedman, Armstrong, Working, Hoiness, Tripp, Peters, Dokken, Page (Missoula), Mulroney, Burns and Westlake: "A joint resolution relative to designation of certain highways as blue star memorial highways." Referred to Committee on Highways and Highway Transportation.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 12, was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Foley, Ganson, Gebhardt, Goodgame, Harken, Harlow, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peterson, Pierce, Robertson, Rostad, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 68.

Noes: Andersen (Richland), Brenner, Esp, Ewing, Frerich, Hall, Hoiness, Oliver, Peters, Phillips, Sales, Scofield, Skibby, Taylor. Total 14.

Absent and not voting: Corcoran, Gunderson, Harpster, McKenna, Martin, Michels, Standish and Tierney. Total 8.

House Bill No. 70, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Scofield, Smith, Taber, Taylor, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: 71.



Noes: Ewing, Hall, Holding, McElwain, Martin, Peterson, Phillips, Sales, Skibby, Tripp and Wilson (Judith Basin). Total 11.

Absent and not voting: Corcoran, Gunderson, McKenna, Michels, Rostad, Standish, Tierney, Wiedman. Total 8.

House Bill No. 67, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 83.

Noes: Holding. Total 1.

Absent and not voting: Corcoran, Gunderson, McKenna, Michels, Standish and Tierney. Total 6.

House Joint Memorial No. 3, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

Ayes: 79.

Noes: Burns, Domke, Ganson, O'Neil and Mr. Speaker. Total 5.

Absent and not voting: Corcoran, Gunderson, McKenna, Michels, Standish and Tierney. Total 6.

House Bill No. 35, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 81.

Noes: None.

Absent and not voting: Corcoran, Gunderson, Harpster, Jarussi, McKenna, Michels, Phillips, Standish and Tierney. Total 9.

House Bill No. 68, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker:

Ayes: 75.

Noes: Duppler, Ewing, Frerich, Holding, Oliver, Sales, Van Dyke and Wiedman. Total 8.

Absent and not voting: Corcoran, Gunderson, McKenna, Michels, Robertson, Standish and Tierney. Total 7.

Moved by Loble that the House recess until 2:00 P. M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 69.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Robertson, Chairman, Committee on Dairying: A bill for an act entitled: "An act regulating the commerce within the State of Montana of oleomargarine, prohibiting the manufacture, sale, possession with intent to sell, transportation or serving in a public eating place of oleomargarine which is colored yellow, defining the terms used herein, establishing standards of sanitation for manufacturing and handling oleomargarine, licensing the manufacture and wholesale traffic in oleomargarine, providing for district court jurisdiction of offenses and actions under this act, and restraint of violations, condemnation of yellow or unfit oleomargarine, sampling and testing as to purity and color, use of samples as evidence, standard measure, certain fat content, standards of wrapping and marking packages, reports by manufacturers, providing penalties for the violation of this act, and causes for and methods of revocation of licenses, empowering the commissioner of agriculture, labor and industry to promulgate rules and regulations in conformity to this law, and providing for the exemption of certain products, severability of the provisions of this act, repeal of all acts and parts of acts in conflict herewith, and providing the effective date shall be upon passage and approval."

By Mernin, Tripp, Culbertson, Jarussi, Michels, Dusak, Goodgame, Burns, Smith and Karlberg: A bill for an act entitled: "An act to amend Section 2343.1, Revised Codes of Montana, 1935, as amended by Chapter 83, Session Laws, 1937, relating to electrical energy producers' license tax; providing that such tax be increased."

By Harlow, Holding, Andersen (Richland) and Harpster: A bill for an act entitled: "An act amending Section 2296 and Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and defining what organizations are exempt therefrom, and relating to deductions in computing income."

By Harlow, Holding, Andersen (Richland) and Harpster: A bill for an act entitled: "An act to amend Section 2295.2 relating to income tax and 2295.8 relating to income tax deductions and 2295.10 relating to income tax exemptions."

By Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 3 of Chapter 84 of the Session Laws of Montana of 1937, as amended by Section 1, Chapter 226 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of liquor licenses; and the number of said licenses that may be issued; and providing for the issuance of liquor licenses to posts and lodges or similar state units of recognized national veterans and/or fraternal organizations, and providing for the cancellation of liquor licenses not actually used, and repealing all acts and parts of acts in conflict therewith."

By O'Neil, Chairman, Committee on Ways and Means: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1949 and 1950."

By Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 2715.36 of the Revised Codes of Montana, 1935, as amended by Chapter 225 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of retail beer licenses, the number of said licenses which may be issued, and providing for the issuance of retail beer licenses to posts and lodges or similar state units of recognized national veterans and/or fraternal organizations, and providing for the cancellation of retail beer licenses not actually used, and repealing all acts and parts of acts in conflict therewith."

By Loble and Hawks: A bill for an act entitled: "An act to appropriate money for the biennium ending June 30, 1951 to supplement an appropriation authorized by the congress of the United States to complete the construction of and equipping of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, for tuberculous Indians: authorizing the State Board of Examiners to carry out the purposes of this act and to represent the State of Montana in carrying out the provisions of public law 332 of the 80th congress."

By Wiedman: A bill for an act entitled: "An act to amend Section 11369 of the Revised Codes of Montana of 1935, relating to uttering fraudulent checks or drafts—evidence."

By Foley, Tierney, Loughran, Clark (Silver Bow), Dwyer, Ballard, Mernin and McCarthy: A bill for an act entitled: "An act to amend Section 5119 of the Revised Codes of Montana of 1935, as amended by the provisions of Chapter 43 of the Session Laws of the Twenty-sixth Legislative Assembly of Montana 1939, as amended by Chapter 159 of the Session Laws of the Twenty-ninth Legislative Assembly of 1945, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class."

By Holding: A bill for an act entitled: "An act to amend Section 443, Revised Codes of Montana, 1935, as amended by Chapter 119 Session Laws of the Twenty-eighth Legislative Assembly of 1943, relating to traveling expenses of certain county officers attending conventions by including the office of sheriff and repealing all acts and parts of acts in conflict herewith."

By Wiedman: A bill for an act entitled: "An act to amend Section 3689 Revised Codes of Montana 1935, as amended by Section 4 of Chapter 224 of the laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to possession of fish and game licenses."

By Harlow, Chairman, Committee on Education: A bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; defining "uniform system of free public schools"; providing a schedule for determining support of foundation financial program for public elementary schools; providing a schedule for determining the amount which will be guaranteed by the state for public secondary schools in support of the foundation financial program; providing for a reserve tax levy for building and construction purposes; providing for a change of name for the state common school equalization fund; providing for the state board of education to administer the state public school equalization fund; providing for the State Superintendent of Public Instruction to compile data and make reports concerning state public school equalization fund; providing for the distribution of funds and reports required for same; providing for the distribution of money available to districts and the formula for the apportionment of county funds; providing formula for distribution of state funds; providing for payment by state for transportation service rendered; providing for state superintendent to give notice if state fund is inadequate; providing for resolution to issue warrants in anticipation of state aid and providing for hearing of same; providing for authorization to issue warrants; providing for reimbursements from state public school equalization fund; providing for trustees to authorize additional ten mill levy without election; providing for district school taxes in excess of ten mill levies and providing for elections to cover same; providing for county public school levy; providing for federal tax valuation index; providing for transfer of building and furnishing funds to reserve fund for building and construction purposes; amending Section of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Section 945 of Chapter 91 of the Revised Codes of Montana of 1935; Section 964 as amended by Section 1 of Chapter 134, Laws of 1945; Section 1057 of Chapter 98, Laws of 1941; Section 1201.1 as last amended by Section 1 of Chapter 129, Laws of 1945; Sections 1202 and 1203 as amended by Section 1 of Chapter 51, Laws of 1945; Section 1263.5 as last amended by Section 2 of Chapter 219, Laws of 1943; Section 1263.30 and amending all acts and parts of acts in conflict with this act; and repealing all acts and parts of acts in conflict with this act."

By Harlow, Chairman, Committee on Education: A bill for an act entitled: "An act for the purpose of the reorganization of the school districts in the State of Montana in order to simplify and make more efficient the administration of the elementary and secondary schools of the state; providing definitions of terms pursuant this act; providing for the organization and meetings of county redistricting committees; providing for the powers and duties of the county redistricting committee; providing for effective dates for reorganization; defining "school districts" and minimum requirements for same; providing for powers as body corporate; providing for limitations in creating, consolidating or changing boundaries of school districts; providing for abolishment of school districts; providing for approval of new districts; providing for creation of joint school districts; providing for appointment of trustees of new school districts; providing for dissolution of school districts; providing for disposition of records of districts ceasing to exist; providing for disposition of property and debts of abolished or dissolved districts; disposition when annexed to one district, disposition when annexed to two or more districts; distribution of assets when territory detached but district continues in existence; providing for assumption of indebtedness; providing for distribution of abolishment, dissolution or alteration of joint districts; providing that employment contracts are not "property"; providing for notification to county



treasurers and board of equalization of the apportionment of school district funds and indebtedness; providing for the State Examiner to prescribe accounting methods; providing duties of trustees and clerks to keep accounts; providing for annual audit of school district accounts; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1020 and 1021 as amended by Section 1 of Chapter 61, Laws of 1943; and all other acts or parts of acts in conflict with this act, and repealing all acts and parts of acts in conflict with this act."

By Nixon and Laas: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana; defining the term "caravaning"; providing for the granting of certificates for motor vehicles in caravans and fixing the fee thereof: defining the duties of the Board of Railroad Commissioners of the State of Montana in regard thereto: providing for the filing of verified statements with the Board of Railroad Commissioners by every holder of a certificate or certificates issued under the provisions of this act: providing for the disposition and disbursement of the fees collected under this act and penalties for violation of this act."

By Westlake, Duncan, Holding, Karlberg, Mulroney, Koch: A bill for an act entitled: "An act to amend Section 4885 of the Revised Codes of Montana, 1935, as amended by Chapter 121 of the Laws of the Twenty-seventh Legislative Assembly of 1941, and Section 4916 of the Revised Codes of Montana, 1935, as amended by Chapter 139 of the Laws of the Twenty-fifth Legislative Assembly of 1937 and by Chapter 121 of the Laws of the Twenty-seventh Legislative Assembly of 1941, relating to mileage, expenses, and fees of sheriffs."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

HALL, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 be amended as follows:

By striking out on page 1, Section 1, lines 22, 23 and 24, the words "for that portion of the grants to which contribution is made by the federal government" and inserting in lieu thereof, the words "exclusive of the federal share and limited to the federal matching maximum."

By striking out on page 2, Section 2, lines 8 and 9, the words "for that portion of the grants to which contribution is made by the federal government" and inserting in lieu thereof, the words "exclusive of the federal share and limited to the federal matching maximum".

And as amended, do pass.

MERNIN, Vice-Chairman.

Report adopted.



Mr. Speaker: We, a majority of your Committee on Military Affairs, having had under consideration House Bill No. 10, respectfully report as follows: That the title of House Bill No. 10 be amended as follows:

In line 5 after the words "World War II" insert a comma and the words "Or veterans of the Spanish-American War, or veterans of World War I who are receiving disability compensation from the United States Veterans' Administration;" then strike out the words, "For a period of five years" and insert in lieu thereof, the words, "For a period not to exceed five consecutive years."

And we move to further amend House Bill No. 10 by striking out in line 24, after the semi-colon, the remainder of line 24 and all of lines 25, 26, 27, 28, 29, 30, 31, and 32, and inserting in lieu thereof the following language:

"provided, however, that the homestead, bona fide, interpreted herein as consisting of a city or town lot, or a tract of land, or two or more tracts of land with a residence on one tract and a lawn, field, pasture or garden on the other tract or tracts, buildings and appurtenances, whether rural or urban, owned and occupied by every head of a family, or his widow, minor orphan child or children, who is an honorably discharged veteran of the Spanish-American War, or World War II, or of a disabled veteran of World War I who is receiving disability compensation from the United States Veterans' Administration, to the assessed value of \$3,000.00, for each year for a period not to exceed five consecutive years, within the period beginning with the year 1951 to and including the year 1960, after which time the value of this exemption shall be the same as that allowed to other taxpayers of the State of Montana. This exemption shall extend to the surviving spouse, or minor child or children of a deceased veteran of World War II, or of World War I, as hereinbefore provided, and to the bona fide homestead when occupied as such and title thereto is in either husband or wife, providing that the exemptions shall not be extended to more than one homestead owned by the husband or wife and when title thereto is in husband or wife."

And as so amended we recommend that the bill do not pass.

MARTIN,  
PETERS,  
DOKKEN,  
DWYER,  
HUNTER,  
KOCH,  
MULRONEY.

Report adopted.

Mr. Speaker: We, a minority of your Committee on Military Affairs, having had under consideration House Bill No. 10, respectfully report as follows: That the title of House Bill No. 10 be amended as follows:

In line 5 after the words "World War II" insert a comma and the words "Or veterans of the Spanish-American War, or veterans of World War I who are receiving disability compensation from the United States Veterans' Administration;" then strike out the words, "For a period of five years" and insert in lieu thereof, the words, "For a period not to exceed five consecutive years."

And we move to further amend House Bill No. 10, by striking out in line 24, after the semi-colon, the remainder of line 24 and all of lines 25, 26, 27, 28, 29, 30, 31, and 32, and inserting in lieu thereof the following language:

"provided, however, that the homestead, bona fide, interpreted herein as consisting of a city or town lot, or a tract of land, or two or more tracts of land with a residence on one tract and a lawn, field, pasture or garden on the other tract or tracts, buildings and appurtenances, whether rural

or urban, owned and occupied by every head of a family, or his widow, minor orphan child or children, who is an honorably discharged veteran of the Spanish-American War, or World War II, or of a disabled veteran of World War I who is receiving disability compensation from the United States Veterans' Administration, to the assessed value of \$3,000.00, for each year for a period not to exceed five consecutive years, within the period beginning with the year 1951 to and including the year 1960, after which time the value of this exemption shall be the same as that allowed to other taxpayers of the State of Montana. This exemption shall extend to the surviving spouse or minor child or children of a deceased veteran of World War II, or of World War I, as hereinbefore provided, and to the bona fide homestead when occupied as such and title thereto is in either husband or wife, providing that the exemptions shall not be extended to more than one homestead owned by the husband or wife and when title thereto is in husband or wife."

And as so amended we recommend that the bill be referred to the Committee on Constitutional Amendments.

BURNS, Chairman,  
MacDONALD,  
JARUSSI.

Report adopted.

Moved by Burns that the minority report be adopted and the bill be referred to the Committee on Constitutional Amendments.

A roll call vote having been demanded by the required number, same was as follows: Barnard, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Duncan, Emmons, Goodgame, Harlow, Howard, Jarussi, Laas, Loble, MacDonald, McCarthy, Mernin, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tripp, Trout, Van Dyke, Westlake, Mr. Speaker.

Ayes: 28.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Silver Bow), Dokken, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Krieg, Loughran, McElwain, Martin, Mulroney, Oliver, Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Taber, Taylor, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 51.

Absent and not voting: Brenner, Corcoran, Frerich, Gunderson, Hess, McKenna, Michels, Nixon, Page (Missoula), Standish, Tierney. Total 11.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do pass.

ARONOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5 do pass.

ARONOW, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

January 25, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable

Body that the following Senate Bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 17—Gosman.

LOU BRETZKE,  
Assistant Secretary of the Senate.

January 25, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 8—Aronson.

LOU BRETZKE,  
Assistant Secretary of the Senate.

January 24, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 10—Ross and Lott.

Senate Bill No. 9—Committee on Counties and Towns.

LOU BRETZKE,  
Assistant Secretary of the Senate.

January 24, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 14—Haight.

LOU BRETZKE,  
Assistant Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Beck that the Committee on Townships and Counties be granted an extension of one week for consideration of House Bill No. 46. Carried.

Moved by Loble that House Bill No. 31 be taken from General Orders and be re-referred to the Committee on Education. Carried.

### INTRODUCTION OF SENATE BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

Senate Bill No. 8, introduced by Aronson: A bill for an act entitled: "An act to amend Section 4465.8 of the Revised Codes of Montana, 1935, as amended by Chapter 238 of the Session Laws of Montana of 1947, relating to the jurisdiction and power of counties and county commissioners to erect, furnish and maintain a court house, jail, hospital, civic center, youth center, park buildings, museums, recreation centers, and any combination

thereof, and such other public buildings as may be necessary, and providing for a commission to manage the same, and providing that the county hospital may be used for the care of the indigent sick, and providing when same may be used for hospitalization of non-indigent sick, and providing for furnishing and equipping buildings suitable for county hospital purposes which may now be owned or which may hereafter be acquired by a county." Referred to Committee on Counties and Towns.

Senate Bill No. 17, introduced by Gosman: A bill for an act entitled: "An act to amend Section 1 of Chapter 176, Session Laws of Montana of 1937, as last amended by Section 1 of Chapter 146, Session Laws of Montana of 1941; relating to an act providing for regulation of the preparation, possession and sale of narcotics in the State of Montana; defining certain words and phrases in connection therewith." Referred to Committee on Public Health and Sanitary Affairs.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 69, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 74.

Noes: Holding and Tripp. Total 2.

Absent and not voting: Armstrong, Brenner, Corcoran, Duncan, Fre-rich, Gunderson, Hess, McKenna, Michels, Nixon, Page (Missoula), Standish, Tierney and Westlake. Total 14.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Emmons of Deer Lodge to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 30 do pass.

Report adopted. EMMONS, Chairman.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that

House Bill No. 78 and House Memorial No. 1 have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House adjourn until 10:30 A. M., January 26, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 26, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Corcoran, Gunderson, Hunter, McKenna, Michels, Standish and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal beg to report that we have examined the Journal for the Twenty-Third Legislative Day and find same correct.

HOLTZ, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Harlow: A bill for an act entitled: "An act to amend Section 1136 of the Revised Codes of Montana of 1935 relating to employment of children under seventeen."

By Domke: A bill for an act entitled: "An act to repeal Section 6565 of the Revised Codes of Montana, 1935, as amended by Chapter 5, Montana Session Laws of 1943, relating to licenses of railroad and steamboat ticket agents."

By Harlow: A bill for an act entitled: "An act to repeal Section 5724, Revised Codes of Montana, 1935, relating to contract marriages."

By Domke: A bill for an act entitled: "An act to amend Sections 6 and 7 of Chapter 289, Montana Session Laws of 1947, to provide for a tax on cigars in addition to the tax on cigarettes."

By Domke: A bill for an act entitled: "An act to amend Section 3 of Chapter 289, Montana Session Laws of 1947, relating to cigarette distributors' and dealers' licenses, to provide for an annual license in lieu of a permanent license."

By Domke: A bill for an act entitled: "An act to amend Section 6 of Chapter 289 of the Montana Session Laws of 1947, relating to the tax upon cigarettes and increasing the rate from two to three cents."

By Harlow: A bill for an act entitled: "An act to amend Section 1137 of the Revised Codes of Montana of 1935 relating to truant officers' powers and duties."



By Harlow: A bill for an act entitled: "An act to amend Section 1049 of the Revised Codes of Montana of 1935 relating to duties of school clerks."

By Harlow: A bill for an act entitled: "An act to amend Section 1135 of the Revised Codes of Montana of 1935 relating to compulsory attendance."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 71 and 87 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 be amended as follows:

Line 5, page 2, Section 2.

That Section 2 be stricken, and in lieu thereof, that Section 2 read as follows:

Any person, corporation, association, or organization violating any of the provisions of this act shall be guilty of a felony and punishable by imprisonment not to exceed two years or by a fine not to exceed ten thousand dollars (\$10,000), or by both such imprisonment and fine. Any person, corporation, association, or organization violating any provision of this act shall be debarred for a period of not less than one year nor more than five years from participating in or sponsoring any game, sport or contest to which admission is charged.

And further be amended as follows:

By inserting, following the title, the words:

"Be it enacted by the Legislative Assembly of the State of Montana."

And that, as so amended, the bill do pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Majority on Constitutional Amendments, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do not pass.

DUPPLER,  
WIEDMAN,  
JARUSSI,  
McELWAIN,  
BLENKNER,  
DUNCAN, and  
HARLOW.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Majority on Constitutional Amendments, having had under consideration House Bill No. 4, And recommend that House Bill No. 4 be amended as follows:

In line 5 of Section 2, after the words "World War II" insert the following words: "between December 7, 1941 to August 14, 1945 and/or in any other war or wars in which the United States has been engaged or may hereafter engage"

Strike out Section 5.

That Section 3 read: "Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the amendment.
- ☐ Against the amendment.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote."

Respectfully report as follows: That House Bill No. 4 do not pass.

BLINKNER,  
WIEDMAN,  
DUNCAN,  
McELWAIN,  
HARLOW, and  
DUPPLER.

Report adopted.

Mr. Speaker: We, your Minority on Constitutional Amendments, having had under consideration House Bill No. 4, And recommend that House Bill No. 4 be amended as follows:

In line 5 of Section 2, after the words "World War II" insert the following words: "between December 7, to August 14, 1945 and/or in any other war or wars in which the United States has been engaged or may hereafter engage."

Strike out Section 5.

That Section 3 read: "Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Vol. I, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the amendment.
- ☐ Against the amendment.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote."

Respectfully report as follows: That House Bill No. 4 as amended do pass.

BURNS,  
TRIPP,  
VAN DYKE, and  
JARUSSI.

Committee on Constitutional  
Amendments.

Moved by Tripp, that the report of the Majority Committee be adopted.

Substitute motion by Burns, that the report of the Minority of the Committee be adopted and that House Bill No. 4 be printed and placed on General Orders, and that a roll call vote be taken. Carried.

A roll call having been demanded by the required number and necessary seconds, for Journal entry, roll call vote was as follows: Anderson (Phillips), Aronow, Ballard, Beck, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Dusak, Emmons, Foley, Ganson, Goodgame, Gunderson, Harlow, Harpster, Hess, Holtz, Jarussi, Jensen, Loble, Loughran, MacDonald, McCarthy, Mernin, Page (Granite), Peterson, Robertson, Smith, Taylor, Tripp, Trout, Van Dyke.

Ayes: 36.

Noes: Andersen (Richland), Anderson (Hill), Armstrong, Blenkner, Brenner, Bricker, Dokken, Duncan, Duppler, Dwyer, Esp, Ewing, Frerich, Gebhardt, Hall, Harken, Hawks, Haytin, Holding, Hoiness, Howard, Hunter, Karlberg, Koch, Krieg, Lass, McElwain, Martin, Mulrone, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Taber, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total, 48.

Absent and not voting: Barnard, Corcoran, McKenna, Michels, Standish and Tierney. Total 6.

The motion was lost.

Report of the Majority do not pass carried.

## CONSIDERATION OF MESSAGES FROM THE SENATE

January 25, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Senate Committee on Military Affairs, report adopted, and the same is herewith returned to the House:

House Bill No. 14 by Dwyer.

Respectfully,

LOU BRETZKE,

Assistant Secretary of the Senate.

## MOTIONS AND RESOLUTIONS

Moved by Loble, that House Bill No. 63 be taken from General Orders and re-referred to the Committee on Appropriations. Carried.

Moved by Bricker, that House Bill No. 71 be taken from General Orders and re-referred to the Committee on Public Safety. Carried.

Moved by Esp, that House Bill Nos. 58 and 60 be taken from General Orders and considered passed for the day. Carried.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 141, introduced by Hess, Holtz, Esp and Scofield: A bill for an act entitled: "An act designating the salaries of the Governor, Justices of the Supreme Court, Attorney General, Secretary of State, Superintendent of Public Instruction, State Treasurer, State Auditor, Clerk of the Supreme Court, and members of the Board of Railroad Commissioners; providing that such salaries shall not include actual and necessary traveling, lodging and subsistence incidental to official duties of the aforesaid officers; repealing Sections 128, 200, 436, and 8796, Revised Codes of Montana, 1935, Section 375, Revised Codes of Montana, 1935, as amended by Chapter 64, Laws of 1945, Section 949, Revised Codes of Montana, 1935, as amended by Chapter 177, Laws of 1947, that portion of Section 378, Revised Codes of Montana, 1935, establishing compensation of Supreme Court Justices for reporting decisions of the Supreme Court, that portion of Section 162, Revised Codes of Montana, 1935, relating to the salary of the State Auditor in his ex-officio capacity as Commissioner of Insurance, that portion of Section 3784, Revised Codes of Montana, 1935, establishing

the salary of each Railroad Commissioner, and all other acts and parts of acts in conflict with this act, or any provision hereof; and providing when this act shall take effect." Referred to Committee on State Boards and Offices.

House Bill No. 142, introduced by Wiedman: A bill for an act entitled: "An act to amend Section 3689 Revised Codes of Montana 1935, as amended by Section 4 of Chapter 224 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to possession of fish and game licenses." Referred to Committee on Fish and Game.

House Bill No. 143, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1949 and 1950." Referred to Committee on Ways and Means.

House Bill No. 144, introduced by Wiedman: A bill for an act entitled: "An act to amend Section 11369 of the Revised Codes of Montana of 1935, relating to uttering fraudulent checks or drafts — evidence." Referred to Committee on Judiciary.

House Bill No. 145, introduced by Harlow, Holding, Andersen (Richland), and Harpster: A bill for an act entitled: "An act amending Section 2296 and Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and defining what organizations are exempt therefrom, and relating to deductions in computing income." Referred to Committee on Revenue and Taxation.

House Bill No. 146, introduced by Holtz, Dusak, Wilson (Judith Basin) and Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana." Referred to Committee on Affairs of Cities.

House Bill No. 147, introduced by Loble and Hawks: A bill for an act entitled: "An act to appropriate money for the biennium ending June 30, 1951, to supplement an appropriation authorized by the Congress of the United States to complete the construction of and equipping of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, for tuberculous Indians; authorizing the State Board of Examiners to carry out the purposes of this act and to represent the State of Montana in carrying out the provisions of Public Law 332 of the 80th Congress." Referred to Committee on Appropriations.

House Bill No. 148, introduced by Harlow, Holding, Andersen (Richland), and Harpster: A bill for an act entitled: "An act to amend Sections 2295.2 and 2295.8, Revised Codes of Montana, 1935, and Section 2295.10 Revised Codes of Montana, 1935, as amended by Chapter 29, Session Laws, 1941, all relating to income tax; providing for the rate, deductions and exemptions." Referred to Committee on Revenue and Taxation.

House Bill No. 149, introduced by Nixon and Laas: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana: Defining the term "caravaning": providing for the granting of certificates for motor vehicles in caravans and fixing the fee thereof: defining the duties of the Board of Railroad Commissioners of the State of Montana in regard thereto: providing for the filing of verified statements with the Board of Railroad Commissioners by every holder of a certificate or certificates issued under the provisions of this act: Providing for the disposition and disbursement of the fees collected under this act and penalties for violation of this act." Referred to Committee on Highways and Highway Transportation.



House Bill No. 150, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 350.1, 351, 354.1, 360, 361, Revised Codes of Montana, 1935, relating to State Hail Insurance; Maximum insurance allowed; limitation of tax levies and application thereof; foreclosure of liens; appointment of appraisers; payment of losses; and other matters pertaining to hail insurance." Referred to Committee on Agriculture.

House Bill No. 151, introduced by Clark (Silver Bow) and Cunningham: A bill for an act entitled: "An act to amend Section 1746.2, Revised Codes of Montana, 1935, as amended by Chapter 198, Laws of the Twenty-eighth Legislative Assembly, 1943, relating to the operation of motor vehicles while in an intoxicated condition or under the influence of intoxicating liquor, drugs or narcotics, prescribing the penalties for violation of the provisions of this act and for revocation of driver's license, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

### MOTIONS AND RESOLUTIONS

Moved by Aronow, that House Bill No. 61 be taken from General Orders and considered passed for the day. Carried.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 49, 83, 103 and House Joint Memorial No. 4 have been returned correctly printed.

O'NEIL, Chairman.

Report adopted.

Moved by Loble, that the House adjourn until 2:00 P. M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Printing, do hereby report that Substitute House Bill No. 7 has been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tripp, Brenner, Krieg, Peters, Gebhardt, Pierce and Hoiness: A bill for an act entitled: "An act to change the name of Montana State Normal College to Western Montana College of Education, and the name of Eastern Montana State Normal School to Eastern Montana College of Education."

By Hoiness and Peters: A bill for an act entitled: "An act to amend Section 681 R. C. M. 1935, as last amended by Section 1, Chapter 141, Session Laws of Montana 1947, relating to the preparation of election ballots and regulating their form, color, size and use, the placing of names thereon and other matters pertaining thereto."

By Hoiness and Haytin: A bill for an act entitled: "An act to amend Section 5080 of the Revised Codes of Montana of 1935, as amended by Chapter 122, Montana Session Laws 1937, relating to the liability of cities and towns for injuries or damage of persons or property received or suffered by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry-boat, or public works of any kind in cities and towns, setting forth requirement of notice and repealing all acts and parts of acts in conflict herewith."

By Committee on Fish and Game, Ballard, Chairman: A bill for an act

entitled: "An act to amend Section 3681, of the Revised Codes of Montana, 1935, relating to definitions of commissions, person, open season, closed season, angling or fishing, upland game birds, migratory game birds, non-game birds, game animals, fur-bearing animals, predatory animals, and game fish."

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to provide for a revolving fund for the Veterans' Welfare Commission. The method of creating and using the fund and repealing all acts and parts of acts in conflict herewith."

By Barnard, Harlow, Oliver, Goodgame and Cotton: A bill for an act entitled: "An act to amend Sections 74 and 75, Revised Codes of Montana, 1935, relating to Legislative Assembly; providing for an increase in the per diem of members, president of Senate and Speaker of House."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Mileage and Per Diem, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 be amended by adding to Section 1, line 29, the amendment to read as follows: "Members of the Legislative Assembly may select their own mode of travel going to and returning from the Legislative Session and shall receive seven cents (7c) per mile for each and every mile actually travelled.", and as so amended recommend that House Bill No. 48 do pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be referred to Judiciary Committee.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be concurred in.

BALLARD, Chairman,  
Committee on Fish and Game.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 do pass.

BALLARD, Chairman,  
Committee on Fish and Game.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

BALLARD, Chairman,  
Committee on Fish and Game.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 82, respectfully report as follows:

That House Bill No. 82 be amended as follows: By striking out in Section 5 at page 6, lines 18 and 19 in the original bill and inserting in lieu thereof the words: "the average total rate of all general property taxes levied for the preceding year by the taxing authorities of the state, counties, school districts, municipalities and other taxing subdivisions for state, county, school and municipal and other purposes."

and

be amended as follows: by inserting in Section 1 (a), line 18 of the original bill after the words, "or incorporated" the following: "not being the owner, lessee, or operator of any railroad,"

And as so amended, recommend that House Bill No. 82 do pass.

DOMKE, Chairman.

Report adopted.

House please take notice: Speaker is about to sign Senate Bill No. 2 in open Session.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 152, introduced by Dusak, Burns, Smith, Karlberg, Mernin, Tripp, Culbertson, Jarussi and Michels: A bill for an act entitled: "An act to amend Section 2343.1, Revised Codes of Montana, 1935, as amended by Chapter 83, Session Laws, 1937, relating to electrical energy producers' license tax; providing that such tax be increased." Referred to Committee on Revenue and Taxation.

House Bill No. 153, introduced by Holding: A bill for an act entitled: "An act to amend Section 443, Revised Codes of Montana, 1935, as amended by Chapter 119, Session Laws of the Twenty-eighth Legislative Assembly, 1943, relating to traveling expenses of certain county officers attending conventions by including the office of sheriff and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Township and Counties.

House Bill No. 154, introduced by McElwain, Dwyer, Koch and Emmons: A bill for an act entitled: "An act permitting actions on tort claims against the State of Montana and describing the practice and procedure therefor." Referred to Committee on Judiciary.

House Bill No. 155, introduced by Committee on Dairying: A bill for an act entitled: "An act regulating the commerce within the State of Montana of Oleomargarine, prohibiting the manufacture, sale, possession with intent to sell, transportation or serving in a public eating place of oleomargarine which is colored yellow, defining the terms used herein, establishing standards of sanitation for manufacturing and handling oleomargarine, licensing the manufacture and wholesale traffic in oleomargarine, providing for district court jurisdiction of offenses and actions under this act, and restraint of violations, condemnation of yellow or unfit oleomargarine, sampling and testing as to purity and color, use of samples as evidence, standard measure, certain fat content, standards of wrapping and marking packages, reports by manufacturers, providing penalties for the violation of this act, and causes for and methods of revocation of licenses, empowering the Commissioner of Agriculture, Labor and Industry to promulgate rules and regulations in conformity to this law, and providing for the exemption of certain products, severability of the provisions of this act, repeal of all acts and parts of acts in conflict herewith, and providing the effective date shall be upon passage and approval." Referred to Committee on Dairying.

House Bill No. 156, introduced by Westlake, Duncan, Holding, Karlberg, Mulroney, Koch: A bill for an act entitled: "An act to amend Section 4885 of the Revised Codes of Montana, 1935, as amended by Chapter 121 of the Laws of the Twenty-seventh Legislative Assembly of 1941, and Section 4916 of the Revised Codes of Montana, 1935, as amended by Chapter 139 of the Laws of the Twenty-fifth Legislative Assembly of 1937 and by Chapter 121 of the Laws of the Twenty-seventh Legislative Assembly of 1941, relating to mileage, expenses, and fees of sheriffs." Referred to Committee on Townships and Counties.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Anderson of Phillips to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 76 do pass.

That House Bill No. 77 do pass.

That House Bill No. 86 do pass.

That House Memorial No. 1 do pass.

That House Joint Memorial No. 4 do pass.

That Senate Joint Resolution No. 1 be concurred in.

That House Bill No. 78 do pass.

That House Bill No. 75 be passed for the day.

That the following bills be amended as follows:

Mr. Speaker: I move to amend House Bill No. 74 by adding thereto a Section to be numbered Section 4, and to read as follows:

"This act shall be in full force and effect from and after its passage and approval," and as so amended recommend House Bill No. 74 do pass.

ANDERSON (Phillips), Chairman.

Report adopted.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Joint Resolution No. 1 was passed by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor,

Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: 78.

Noes: None.

Absent and not voting: Brenner, Corcoran, Duncan, Duppler, Frerich, Hess, McKenna, Michels, Page (Missoula), Pierce, Standish and Tierney. Total 12.

Moved by Loble, that the House adjourn until 10:30 A. M. Thursday, January 27, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana.  
January 27, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members were present except Corcoran, Harpster, Jensen, McKenna, Standish and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Twenty-Fourth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 8, 54, 34, 134, 50, 132, 133, 135, 65, 52, 131, 51 and House Joint Memorial No. 5 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 76, 77, and 86.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: House Joint Memorial No. 4.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Burns, O'Neil, Anderson (Hill), Clark (Musselshell), Trout, Koch, Martin and Dokken: A bill for an act entitled: "An act to amend Section 14 of Chapter 212 of the Laws of Montana of 1945 as amended by Section 5 of Chapter 297 of the Laws of Montana of 1947 by adding a new subsection preserving prior service credits to members of the Armed Services who were unable to qualify for such prior service credit under the Public Em-



ployees Retirement Act because of active service with the Armed Forces of the United States."

By Clark (Silver Bow): A bill for an act entitled: "An act to define and regulate the business of lending small sums of money in a retail manner in amounts of seventy-five dollars (\$75.00) or less; to authorize and provide for the licensing of persons engaged in such business; to permit licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this act; to provide for the making of examinations and investigations; to prescribe penalties; to provide for appeal from administrative acts hereunder and to repeal all acts and parts of acts in conflict herewith."

By Committee on Judiciary, Harken, Chairman: A bill for an act entitled: "An act relating to employees of the Supreme Court and the Board of Trustees of the Law Library of the State of Montana, and their compensation, amending Sections 368, 377 and 1569, Revised Codes of Montana, 1935, as amended by Chapter 38 of the Laws of 1939, providing for appointment of employees and repealing all acts and parts of acts in conflict herewith."

By Committee on Highways and Highway Transportation, Nixon, Chairman: A bill for an act entitled: "An act to amend Section 2381.23 of the Revised Codes of Montana 1935 relating to the tax to be collected on any volatile liquid of less than forty-six degrees (46°) Taglianbes-Baume gravity test when sold or used to produce motor power to propel motor vehicles upon the highways and streets of the State of Montana; fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith."

By Committee on Highways and Highway Transportation, Nixon, Chairman: A bill for an act entitled: "An act to amend Section 2381.12 of the Revised Codes of Montana, 1935, relating to the license tax levied on dealers in gasoline and fixing the amount thereof; and relating to the license tax imposed on owners or operators of motor vehicles using any other volatile substance of less than forty-six degrees (46°) Taglianbes-Baume test, as defined by Subsection 1 (c) of Section 2381.11 of the Revised Codes of Montana, 1935, and fixing the amount thereof; and repealing all acts and parts of acts in conflict therewith."

By Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Chapter 130 of the Laws of the Thirtieth Legislative Assembly of the State of Montana 1947 relating to the refund of gasoline taxes, the procedure therefor, the persons entitled thereto, fixing penalties and repealing all acts and parts of acts in conflict herewith."

NIXON, Chairman.

By Committee on Highways and Highway Transportation, Nixon, Chairman: A bill for an act entitled: "An act to amend Section 10 of Chapter 39 of the laws of the Twenty-ninth Legislative Assembly of the State of Montana 1945 relating to the license tax paid by dealers to the State Board of Equalization on gasoline and fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Joint Resolution Bill No. 1, respectfully report as follows: That House Joint Resolution Bill No. 1 be amended as follows:

Line 27, page 1, by striking out "Highway roads numbers ten and ten S" and inserting in lieu thereof "Highway road number ten from the eastern boundary of the state through Helena and to the western boundary of the state". As amended do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 be re-referred to the Judiciary Committee.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do pass.

MERNIN, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Senate Committee on Elections and Privileges, report adopted, and the same is herewith returned to the House:

House Bill No. 12 by Clark (Silver Bow) and Loughran.

Respectfully,

LOU BRETZKE,

Assistant Secretary of the Senate.

Moved by Loble that the remainder of the messages from the Senate be considered read at length and the Journal so show. Carried.

#### MOTIONS AND RESOLUTIONS

It was moved by Clark (Musselshell), duly seconded and carried, that House Bills Nos. 58 and 60 be taken from General Orders and re-referred to the Committee on Livestock and Public Ranges for further amendments. Carried.

#### INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 157, introduced by Barnard, Harlow, Oliver, Goodgame and Cotton: A bill for an act entitled: "An act to amend Sections 74 and 75, Revised Codes of Montana, 1935, relating to legislative assembly; providing for an increase in the per diem of members, president of Senate and speaker of House." Referred to Committee on Mileage and Per Diem.

House Bill No. 158, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3681 of the Revised Codes of Montana, 1935, relating to definitions of commission, person, open season, closed season, angling or fishing, upland game birds, migratory game birds, non-game birds, game animals, fur-bearing animals, predatory animals, and game fish." Referred to Committee on Fish and Game.

House Bill No. 159, introduced by Tripp, Brenner, Krieg, Peters, Gebhardt, Pierce and Hoiness: A bill for an act entitled: "An act to change the name of Montana State Normal College to Western Montana College of Education, and the name of Eastern Montana State Normal School to Eastern Montana College of Education." Referred to Committee on Education.

House Bill No. 160, introduced by Committee on Military Affairs: A bill for an act entitled: "An act to provide for a revolving fund for the Veterans' Welfare Commission. The method of creating and using the fund and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Military Affairs.

House Bill No. 161, introduced by Committee on Education: A bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; defining "uniform system of free public schools"; providing a schedule for determining support of foundation financial program for public elementary schools; providing a schedule for determining the amount which will be guaranteed by the state for public secondary schools in support of the foundation financial program; providing for a reserve tax levy for building and construction purposes; providing for a change of name for the state common school equalization fund; providing for the State Board of Education to administer the state public school equalization fund; providing for the State Superintendent of Public instruction to compile data and make reports concerning state public school equalization fund; providing for the distribution of funds and reports required for same; providing for the distribution of money available to districts and the formula for the apportionment of county funds; providing formula for distribution of state funds; providing for payment by state for transportation service rendered; providing for State Superintendent to give notice if state fund is inadequate; providing for resolution to issue warrants in anticipation of state aid and providing for hearing of same; providing for authorization to issue warrants; providing for reimbursements from state public school equalization fund; providing for trustees to authorize additional ten mill levy without election; providing for district school taxes in excess of ten mill levies and providing for elections to cover same; providing for county public school levy; providing for federal tax valuation index; providing for transfer of building and furnishing funds to reserve fund for building and construction purposes; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Section 945 of Chapter 91 of the Revised Codes of Montana of 1935; Section 964 as amended by Section 1 of Chapter 134, Laws of 1945; Section 1057 of Chapter 98, Laws of 1941; Section 1201.1 as last amended by Section 1 of Chapter 129, Laws of 1945; Sections 1202 and 1203 as amended by Section 1 of Chapter 51, Laws of 1945; Section 1263.5 as last amended by Section 2 of Chapter 219, Laws of 1943; Section 1263.30 and amending all acts and parts of acts in conflict with this act; and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

House Bill No. 162, introduced by Domke: A bill for an act entitled: "An act to amend Sections 6 and 7 of Chapter 289, Montana Session Laws of 1947, to provide for a tax on cigars in addition to the tax on cigarettes." Referred to Committee on Revenue and Taxation.

House Bill No. 163, introduced by Domke: A bill for an act entitled:



"An act to repeal Section 6565 of the Revised Codes of Montana, 1935, as amended by Chapter 5, Montana Session Laws of 1943, relating to licenses of railroad and steamboat ticket agents." Referred to Committee on Railroads and Railroad Transportation.

House Bill No. 164, introduced by Domke: A bill for an act entitled: "An act to amend Section 3 of Chapter 289, Montana Session Laws of 1947, relating to cigarette distributors' and dealers' licenses, to provide for an annual license in lieu of a permanent license." Referred to Committee on Revenue and Taxation.

House Bill No. 165, introduced by Domke: A bill for an act entitled: "An act to amend Section 6 of Chapter 289 of the Montana Session Laws of 1947, relating to the tax upon cigarettes and increasing the rate from two to three cents." Referred to Committee on Revenue and Taxation.

House Bill No. 166, introduced by Committee on Education: A bill for an act entitled: "An act for the purpose of the reorganization of the school districts in the State of Montana in order to simplify and make more efficient the administration of the elementary and secondary schools of the state; providing definitions of terms pursuant this act; providing for the organization and meetings of county redistricting committees; providing for the powers and duties of the county redistricting committee; providing for effective dates for reorganization; defining "school districts" and minimum requirements for same; providing for powers as body corporate; providing for limitations in creating, consolidating or changing boundaries of school districts; providing for abolishment of school districts; providing for approval of new districts; providing for creation of joint school districts; providing for appointment of trustees of new school districts; providing for dissolution of school districts; providing for disposition of records of districts ceasing to exist; providing for disposition of property and debts of abolished or dissolved districts; disposition when annexed to one district; disposition when annexed to two or more districts; distribution of assets when territory detached but district continues in existence; providing for assumption of indebtedness; providing for distribution of abolishment, dissolution or alteration of joint districts; providing that employment contracts are not "property"; providing for notification to county treasurers and board of equalization of the apportionment of school district funds and indebtedness; providing for the State Examiner to prescribe accounting methods; providing duties of trustees and clerks to keep accounts; providing for annual audit of school district accounts; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1020 and 1021 as amended by Section 1 of Chapter 61, Laws of 1943; and all other acts or parts of acts in conflict with this act, and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

House Bill No. 167, introduced by Foley, Tierney, Dwyer, Loughran, Ballard, Clark (Silver Bow), Mernin and McCarthy: A bill for an act entitled: "An act to amend Section 5119 of the Revised Codes of Montana of 1935, as amended by the provisions of Chapter 43 of the Session Laws of the Twenty-sixth Legislative Assembly of Montana, 1939, as amended by Chapter 159 of the Session Laws of the Twenty-ninth Legislative Assembly of 1945, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class." Referred to Committee on Affairs of Cities.

House Bill No. 168, introduced by Harlow: A bill for an act entitled: "An act to amend Section 1049 of the Revised Codes of Montana of 1935 relating to duties of school clerks." Referred to Committee on Education.

House Bill No. 169, introduced by Harlow: A bill for an act entitled: "An act to amend Section 1137 of the Revised Codes of Montana of 1935



relating to truant officers powers and duties." Referred to Committee on Education.

House Bill No. 170, introduced by Harlow: A bill for an act entitled: "An act to amend Section 1136 of the Revised Codes of Montana of 1935 relating to employment of children under seventeen." Referred to Committee on Education.

House Bill No. 171, introduced by Harlow: A bill for an act entitled: "An act to amend Section 1135 of the Revised Codes of Montana of 1935 relating to compulsory attendance." Referred to Committee on Education.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Joint Memorial No. 4, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 81.

Noes: Anderson (Hill). Total 1.

Absent and not voting: Corcoran, Cotton, Duncan, McKenna, Michels, Standish, Taylor, and Tierney. Total 8.

House Bill No. 76 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Domke, Duncan, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Haytin, Hess, Hoiness, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, O'Neil, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 61.

Noes: Blenkner, Cunningham, Duppler, Dusak, Emmons, Esp, Goodgame, Gunderson, Hawks, Holding, Holtz, Jensen, Karlberg, Mernin, Oliver, Page (Granite), Robertson, Smith, Taber, Wiedman and Working. Total 21.

Absent and not voting: Brenner, Corcoran, McKenna, Michels, Peterson, Standish, Taylor and Tierney. Total 8.

House Bill No. 77 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke,

Duncan, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Nixon, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Taber, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 67.

Noes: Anderson (Hill), Clark (Musselshell), Dusak, Emmons, Gunderson, Holding, Hoiness, Jensen, Karlberg, Mernin, Mulroney, Oliver, Page (Granite), Sales, Smith and Tripp. Total 16.

Absent and not voting: Brenner, Corcoran, McKenna, Michels, Standish, Taylor and Tierney. Total 7.

House Bill No. 86 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Dwyer, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Haytin, Hess, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, O'Neil, Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Tripp, Trout, Van Dyke, Westlake, Williams and Mr. Speaker.

Ayes: Total 53.

Noes: Anderson (Phillips), Blenkner, Clark (Musselshell), Cunningham, Duppler, Dusak, Emmons, Esp, Ewing, Goodgame, Gunderson, Hawks, Holding, Hoiness, Holtz, Jensen, Karlberg, Mernin, Oliver, Page (Granite), Phillips, Robertson, Skibby, Smith, Taber, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Working. Total 29.

Absent and not voting: Ballard, Corcoran, Cotton, McKenna, Michels, Standish, Taylor and Tierney. Total 8.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Hess of Hill to take the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, do arise and report after having had under consideration the following measures:

That House Bill No. 43 do pass.

That House Bill No. 83 do pass.

That House Bill No. 87 do pass.

That House Bill No. 103 do pass.

That House Bill No. 61 do pass.

That Substitute House Bill No. 7 do pass.

That Senate Bill No. 4 be concurred in.

That House Bill No. 49 do pass.

That House Bill No. 75 be amended as follows: After the word "Montana" in line 8 of the original bill the following:

Section 1. That Section 5738 of the Revised Codes of Montana of 1935 be, and the same is hereby amended to read as follows:

And inserting before the figures 5738 the word "Sec."

And be further amended by adding a section to be numbered Section 2, as follows: "All acts and parts of acts in conflict herewith are hereby repealed."

And as so amended, recommend that House Bill 75 do pass.

HESS, Chairman.

Report adopted.

It was moved by Loble that the House recess until 2:00 P. M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 83, 30, 78, 74 and House Joint Memorial No. 1.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 25, 136 and 137 have been returned correctly printed.

O'NEIL, Chairman.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Koch, Ballard, Tierney, Loughran, Foley, Martin, Oliver and Hunter: A bill for an act entitled: "An act authorizing George A. Neal to file with the State Board of Examiners his claim against the State of Montana, for compensation for injuries received by said George A. Neal while his automobile was chained to a snowplow of Montana State Highway Commission, in a collision on a public highway near Basin, Montana, resulting from the failure of the operators of said snowplow to signal or warn oncoming automobiles, approaching in the night time, of the blocking of the highway by the snowplow and automobile while George A. Neal was in a helpless position in his automobile and when drivers of oncoming traffic were blinded by the negligent failure of the operators of the snowplow to dim bright lights thereon, and authorizing said State Board of Examiners to hear, audit and determine the said claim of George A. Neal, and making an appropriation to pay any such claim of said George A. Neal which the said State Board of Examiners may approve and allow."

By Jarussi: A bill for an act entitled: "An act to amend Section 5070, Revised Codes of Montana, 1935, as amended by Chapter 18, Montana Session Laws 1939, as amended by Chapter 29, Montana Session Laws 1941, as amended by Chapter 153, Montana Session Laws, 1947, relating to limits under which municipal corporations may contract for work, or for supplies, or for material, providing when establishment for bids is necessary, advising the period for such establishment, establishing limits for such contracts, repealing all acts and parts of acts in conflict herewith."

By Koch, McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 11887 of the Revised Codes of the State of Montana relating to compensation of attorney for accused in a criminal action or proceeding where accused is unable to procure or employ counsel."

By Dwyer and Koch: A bill for an act entitled: "An act to amend Section 8943 and 8944 of the Revised Codes of the State of Montana of

1935, relating to providing a penalty for practicing law without a license and defining what constitutes illegal practice of law and repealing all acts and parts of acts in conflict therewith."

By Dwyer and McElwain: A bill for an act entitled: "An act to amend Section 9327 of the Revised Codes of Montana of 1935, as amended by Chapter 61 of the 1939 Session Laws, relating to issues of fact—how tried—when issues both of law and fact, the former to be first disposed of, and repealing all acts and parts of acts in conflict herewith."

By Krieg: A bill for an act entitled: "An act to amend Section 1075 of the Revised Codes of Montana, 1935, relating to the re-election of teachers, showing when re-election becomes automatic, requiring board to give statement of reasons when teacher's re-employment is not desired, providing for hearing, and requiring teacher acceptance of contract within fixed and limited period of time."

By McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 8902 Revised Codes of Montana, 1935, relating to the summoning of a trial jury; providing that a trial jury must be summoned at least once each year in each county when a civil or criminal case has been at issue and ready for trial for more than six months and the plaintiff or defendant in such case has requested a jury trial of such case or whenever the business of a district court requires the attendance of a trial jury for the trial of civil or criminal cases, the court must make an order directing a trial jury to be drawn and summoned to attend before said court when no jury is in attendance."

By Ganson: A bill for an act entitled: "An act to amend Section 4139.13, Revised Codes of Montana of 1935 by increasing the bond to be required of abstracters in the State of Montana and providing that such bond will protect all persons who rely on abstracts prepared by such abstracters."

By Dokken: A bill for an act entitled: "An act to amend Section 10400.20 of the Revised Codes of Montana, 1935, relating to notices on matters pertaining to determination of inheritance tax."

By Dokken: A bill for an act entitled: "An act to amend Section 10096 of the Revised Codes of Montana, 1935, as amended by Section 2, Chapter 150, of the Laws of the Twenty-fifth Legislative Assembly, 1937, relating to bond of executor or executrix."

By Dokken: A bill for an act entitled: "An act to amend Section 10400.17 of the Revised Codes of Montana, 1935, relating to appointment of a special appraiser and oath of executor or administrator."

By Dokken: A bill for an act entitled: "An act to amend Section 10400.31, Revised Codes of Montana, 1935, relating to determination of inheritance tax."

By Mernin, Emmons, Tripp, Gunderson, Dusak, Holtz, Burns, Peterson and Smith: A bill for an act entitled: "An act amending Section 2870, Revised Codes of Montana, 1935, defining "injury" or "injured", amending Section 2933, Revised Codes of Montana, 1935, relating to notice of claims for injuries other than death, amending Section 2899, Revised Codes of Montana, 1935, relating to claims must be presented within what time, and amending Section 2816, Revised Codes of Montana, 1935, and adding a new part to Chapter 256, volume 2 of the political code, Revised Codes of Montana, 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.6 inclusive, relating to compensation for silicosis; defining 'silicosis'; defining 'disability' and 'disablement'; establishing eligibility requirements for silicosis compensation and repealing all acts and parts of acts in conflict therewith."



## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 14 and recommend that Senate Bill No. 14 be amended by striking from line 20, the word "two" (2) and inserting in lieu thereof the word "one" (1).

Respectfully report as follows: That Senate Bill No. 14 as amended be concurred in.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

ROBERTSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Counties and Townships, having had under consideration Senate Bill No. 8, recommend that Senate Bill No. 8 be amended as follows:

Section 1, line 28 of the printed bill insert after the word "that" and before the word "there", the following: "Except in cases of emergency."

And as amended Senate Bill No. 8 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

O'NEIL, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the



following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 18 by McElwain.

House Bill No. 3 by Anderson of Phillips, et al.

House Bill No. 28 by Committee on Workmen's Compensation.

Respectfully,

LOU E. BRETZKE,

Assistant Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Burns that Substitute House Bill No. 7 be taken from Engrossing Committee and be re-referred to the Committee on Military Affairs. Carried.

Moved by Aronow that the Committee on Petroleum, Oil and Gas have an additional five (5) days in which to consider House Bill No. 6. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 172, introduced by Hoiness and Peters: A bill for an act entitled: "An act to amend Section 681 R. C. M. 1935, as last amended by Section 1, Chapter 141, Session Laws of Montana of 1947, relating to the preparation of election ballots and regulating their form, color, size and use, the placing of names thereon and other matters pertaining thereto. Referred to Committee on Privileges and Elections.

House Bill No. 173, introduced by Hoiness and Haytin: A bill for an act entitled: "An act to amend Section 5080 of the Revised Codes of Montana of 1935, as amended by Chapter 122, Montana Session Laws 1937, relating to the liability of cities and towns for injuries or damage of persons or property received or suffered by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry boat, or public works of any kind in cities and towns, setting forth requirements of notice and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 174, introduced by Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 3 of Chapter 84 of the Session Laws of Montana of 1937, as amended by Section 1 of Chapter 226 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of liquor licenses; and the number of said licenses that may be issued; and providing for the issuance of liquor licenses to posts and lodges or similar state units of recognized national veterans and/or fraternal organizations, and providing for the cancellation of liquor licenses not actually used, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Liquor Control.

House Bill No. 175, introduced by Loble, Domke and Aronow: A bill for an act entitled: "An act to amend Section 2815.36 of the Revised Codes of Montana, 1935, as amended by Chapter 225 of the Session Laws of Montana of 1947, relating to the powers of the Montana Liquor Control Board in the issuing of retail beer licenses, the number of said licenses which may be issued, and providing for the issuance of retail beer licenses to posts and lodges or similar state units of recognized national veterans

and/or fraternal organizations, and providing for the cancellation of retail beer licenses not actually used, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Liquor Control.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 4, was passed by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 71.

Noes: None.

Absent and not voting: Armstrong, Brenner, Bricker, Corcoran, Dwyer, Ewing, Hall, Hess, Hunter, Krieg, McKenna, Michels, Nixon, O'Neil, Page (Missoula), Smith, Standish, Taylor, Tierney. Total 19.

It was moved by Loble that the House adjourn until 10:00 A. M. January 28, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 28, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Corcoran, Ganson, McKenna, Michels, Standish, Taylor, Tierney excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Twenty-fifth Legislative Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 41 and 118 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 43 and 87; 61, 75 and 49.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: House Bill No. 103.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hoiness: A bill for an act entitled: "An act to amend Section 9482 of the Revised Codes of Montana, relative to the service of summons by publication, and repealing all acts or parts of acts in conflict therewith."

By O'Neil, Armstrong and Burns: A bill for an act entitled: "An act providing for cancellation of record of special improvement district warrants and liability accounts in cities which warrants or liability accounts were incurred or issued prior to February 25, 1929, and the liability of which has been extinguished by reason of issuance of tax deeds, by application of statute of limitations, or other laws of the State of Montana."

By Sales and Dokken: A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commissioners of the State of Montana to sell and convey the lands described as: Lots 5, 6, 7 and 8 in section 22, township one north, range 8 east of the Montana Meridian in Park County, Montana, for cash, to the best interest of the Montana Agricultural Experiment Station and the State of Montana, said lands having hereto been purchased with trust funds of the station for range purposes and cannot be longer used for that purpose."

By Harlow and Jensen: A bill for an act entitled: "An act to repeal Sections 5724, 5725, 5726, 5727 Revised Codes of Montana, 1935, relating to contract marriages."

By Hoiness: A bill for an act entitled: "An act to amend Section 4987, Revised Codes of Montana of 1935, providing for the submission of plats to the city or town council or to the county commissioners for approval, and setting forth circumstances under which such plats may be rejected."

By Gunderson, Mernin, Tripp, Burns and Dusak: A bill for an act entitled: "An act to amend Section 2344.4, Revised Codes of Montana, 1935, relating to the metalliferous mines license tax; providing that such tax be increased."

### CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble that messages from the Senate be considered read at length and the Journal so show. Carried.

### MOTIONS AND RESOLUTIONS

Moved by Dwyer that the Committee on Public Utilities and State Commissions be granted a week additional time in which to give further consideration to House Bill No. 88. Carried.

Moved by Domke that the Committee on Revenue and Taxation be given additional ten days for the consideration of House Bill No. 113. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 176, introduced by Mernin, Tripp, Emmons, Gunderson, Dusak, Holtz, Burns, Peterson and Smith: A bill for an act entitled: "An act amending Section 2870, Revised Codes of Montana, 1935, defining "injury" or "injured", amending Section 2933, Revised Codes of Montana, 1935, Relating to notice of claims for injuries other than death, amending Section 2899, Revised Codes of Montana, 1935, relating to claims must be presented within what time, and amending Section 2816, Revised Codes of Montana 1935, and adding a new part to Chapter 256, Volume 2 of the political code, Revised Codes of Montana, 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.6 inclusive, relating to compensation for silicosis; defining silicosis; defining 'disability' and 'disablement'; establishing eligibility requirements for silicosis compensation and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Workmen's Compensation.

House Bill No. 177, introduced by Dokken: A bill for an act entitled: "An act to amend Section 10096 of the Revised Codes of Montana, 1935, as amended by Section 2, Chapter 150, of the Laws of the Twenty-fifth Legislative Assembly, 1937, relating to bond of executor or executrix." Referred to Committee on Judiciary.

House Bill No. 178, introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.17 of the Revised Codes of Montana, 1935, relating to appointment of a special appraiser and oath of executor or administrator." Referred to Committee on Judiciary.

House Bill No. 179, introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.31, Revised Codes of Montana, 1935, relating to determination of inheritance tax." Referred to Committee on Judiciary.

House Bill No. 180, introduced by Ganson: A bill for an act entitled: "An act to amend Section 4139.13, Revised Codes of Montana of 1935 by increasing the bond to be required of abstracters in the State of Montana and providing that such bond will protect all persons who rely on abstracts prepared by such abstracters." Referred to Committee on Judiciary.

House Bill No. 181, introduced by McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 8902 Revised Codes of Montana, 1935, relating to the summoning of a trial jury; providing that a trial jury must be summoned at least once each year in each county when a civil or criminal case has been at issue and ready for trial for more than six months and the plaintiff or defendant in such case has requested a jury trial of such case or whenever the business of a district court requires the attendance of a trial jury for the trial of civil or criminal cases, the court must make an order directing a trial jury to be drawn and summoned to attend before said court when no jury is in attendance." Referred to Committee on Judiciary.

House Bill No. 182, introduced by Krieg: A bill for an act entitled: "An act to amend Section 1075 of the Revised Codes of Montana, 1935, relating to the re-election of teachers, showing when re-election becomes automatic, requiring board to give statement of reasons when teachers' re-employment is not desired, providing for hearing, and requiring teacher acceptance of contract within fixed and limited period of time." Referred to Committee on Education.

House Bill No. 183, introduced by Dwyer and McElwain: A bill for an act entitled: "An act to amend Section 9327 of the Revised Codes of Montana of 1935, as amended by Chapter 61 of the 1939 Session Laws, relating to issues of fact—how tried—when issues both of law and fact, the former to be first disposed of, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 184, introduced by Dwyer and Koch: A bill for an act entitled: "An act to amend Section 8943 and 8944 of the Revised Codes



of the State of Montana of 1935, relating to providing a penalty for practicing law without a license and defining what constitutes illegal practice of law and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 185, introduced by Koch, McElwain and Dwyer: A bill for an act entitled: "An act to amend Section 11887 of the Revised Codes of the State of Montana relating to compensation of attorney for accused in a criminal action or proceeding where accused is unable to procure or employ counsel." Referred to Committee on Judiciary.

House Bill No. 186, introduced by Dokken: A bill for an act entitled: "An act to amend Section 10400.20 of the Revised Codes of Montana, 1935, relating to notices on matters pertaining to determination of inheritance tax." Referred to Committee on Judiciary.

House Bill No. 187, introduced by Burns, O'Neil, Koch, Martin, Dokken, Anderson (Hill), Clark (Musselshell): A bill for an act entitled: "An act to amend Section 14 of Chapter 212 of the Laws of Montana of 1945 as amended by Section 5 of Chapter 297 of the Laws of Montana of 1947 by adding a new subsection preserving prior service credits to members of the armed services who were unable to qualify for such prior service credit under the public employees retirement act because of active service with the armed forces of the United States." Referred to Committee on Social Security.

House Bill No. 188, introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to employees of the supreme court and the board of trustees of the law library of the State of Montana, and their compensation, amending Sections 368, 377, and 1569, Revised Codes of Montana, 1935, as amended by Chapter 38 of the Laws of 1939, providing for appointment of employees and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 189, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 10 of Chapter 39 of the Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, relating to the license tax paid by dealers to the State Board of Equalization on gasoline and fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 190, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.23 of the Revised Codes of Montana, 1935, relating to the tax to be collected on any volatile liquid of less than forty-six degrees (46°) Taglianbes-Baume gravity test when sold or used to produce motor power to propel motor vehicles upon the highways and streets of the State of Montana; fixing the amount thereof; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 191, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Chapter 130 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to the refund of gasoline taxes, the procedure therefor, the persons entitled thereto, fixing penalties and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 192, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.12 of the Revised Codes of Montana, 1935, relating to the license tax levied on dealers in gasoline and fixing the amount thereof; and relating to the license tax imposed on owners or operators of motor vehicles using



any other volatile substance of less than forty-six degrees (46°) Taglianbes-Baume test, as defined by subsection 1 (c) of Section 2381.11 of the Revised Codes of Montana, 1935, and fixing the amount thereof; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Highways and Highway Transportation.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 83 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 78.

Noes: None.

Absent and not voting: Beck, Bricker, Corocoran, Ganson, Laas, McKenna, Martin, Michels, Nixon, Sales, Standish, Tierney. Total 12.

House Bill No. 30 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 79.

Noes: None.

Absent and not voting: Ballard, Bricker, Burns, Corcoran, Ganson, McKenna, Michels, Nixon, Phillips, Standish, Tierney. Total 11.

House Bill No. 78 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mulroney, Oliver, O'Neil, Page (Granite),

Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working, Mr. Speaker.

Ayes: Total 76.

Noes: Esp, Holding, Mernin, Scofield, Taylor, Wilson (Judith Basin). Total 6.

Absent and not voting: Corcoran, Ganson, MacDonald, McKenna, Michels, Nixon, Standish, Tierney. Total 8.

House Bill No. 74 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 81.

Noes: None.

Absent and not voting: Armstrong, Corcoran, Ganson, Hawks, McKenna, Michels, Nixon, Standish, Tierney. Total 9.

House Memorial No. 1 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 81.

Noes: None.

Absent and not voting: Corcoran, Ganson, McKenna, Michels, Nixon, Sales, Smith, Standish, Tierney. Total 9.

House Bill No. 103 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, Martin, Mernin, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Taber,

Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 75.

Noes: Blenkner, McElwain, Wiedman. Total 3.

Absent and not voting: Corcoran, Ganson, Hall, Hunter, McCarthy, McKenna, Michels, Nixon, Peters, Smith, Standish, Tierney. Total 12.

House Bill No. 61 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 76.

Noes: Hawks. Total 1.

Absent and not voting: Clark (Musselshell), Corcoran, Duncan, Esp, Ganson, Hall, Hunter, McKenna, Michels, Nixon, Pierce, Standish, Tierney. Total 13.

House Bill No. 75 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 79.

Noes: Ewing, Loble. Total 2.

Absent and not voting: Bricker, Corcoran, Ganson, MacDonald, McKenna, Michels, Nixon, Standish, Tierney. Total 9.

House Bill No. 49 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van

Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Corcoran, Duncan, Ganson, Harpster, McKenna, Michels, Nixon, Standish, Tierney, Wiedman. Total 10.

House Bill No. 43 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Barnard, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Emmons, Esp, Frerich, Gebhardt, Gunderson, Harken, Harlow, Haytin, Hess, Hoiness, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, MacDonald, McCarthy, McElwain, Martin, Mernin, Oliver, O'Neil, Page (Granite), Peters, Robertson, Scofield, Smith, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Working, Mr. Speaker.

Ayes: Total 51.

Noes: Anderson (Phillips), Ballard, Beck, Blenkner, Brenner, Clark (Silver Bow), Dusak, Dwyer, Ewing, Foley, Goodgame, Hall, Harpster, Hawks, Holding, Holtz, Howard, Koch, Krieg, Mulroney, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Skibby, Taber, Wiedman, Wilson (Judith Basin). Total 30.

Absent and not voting: Bricker, Corcoran, Ganson, Loughran, McKenna, Michels, Nixon, Standish, Tierney. Total 9.

House Bill No. 87 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Kreig, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 82.

Noes: None.

Absent and not voting: Corcoran, Ganson, McKenna, Michels, Nixon, Phillips, Standish, Tierney. Total 8.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 10, respectfully report as follows: That Senate Bill No. 10 be amended as follows:

In line 16, Sec. 5, after the word "secretary", add the words "not to exceed \$350.00," and that the bill as amended, be concurred in.

COMMITTEE ON LIVESTOCK  
AND PUBLIC RANGES,  
CLARK (Musselshell), Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 be amended as follows:

To amend Section 2, line 13, by inserting after the word "expenditures" the following: "from the County Rodent Control Fund hereinafter established."

To amend Section 3 of the printed bill by striking out said Section 3 and inserting in lieu thereof, the following: "Section 3. The Board of County Commissioners are authorized to appropriate from the county general fund not in excess of fifteen thousand dollars (\$15,000) annually, and transfer same to the county rodent control fund, and/or to levy a tax of not to exceed four (4) mills on the taxable valuation of all horticultural, grazing and timber lands. Said tax shall be collected as other county taxes and credited to the county rodent control fund."

To amend Section 6, line 7, by striking out the period after the word "passage" and adding the words "and approval." and that House Bill No. 60, as amended, do pass.

COMMITTEE ON LIVESTOCK  
AND PUBLIC RANGES,  
CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107

Amend House Bill 107 in the original bill, section 1, page 2, in lines 14 through 17, by striking out the last sentence of said section 1. Said section reads as follows: "The replacement of any such artificial member so furnished shall not be required unless made necessary by a subsequent industrial accident arising out of and suffered in the course of employment.", and inserting in lieu thereof the following: "The replacement of any artificial member so furnished shall be required every five (5) years, if necessary." and as so amended recommend House Bill No. 107, do pass as amended.

EMMONS, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

It was moved by Harlow that House Bill No. 34 be taken from General Orders and be re-referred to the Committee on Education. Carried.

## CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting. Carried.

Mr. Speaker appointed Hoiness of Yellowstone to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.



Mr. Speaker: We, your Committee of the Whole, having had under consideration business of General Orders, recommend:

That House Bill No. 8 strike the enacting clause.

That House Bill No. 134 do pass.

That House Bill No. 50 do pass.

That House Bill No. 133 do pass.

That House Bill No. 132 do pass.

That House Bill No. 135 do pass.

That House Bill No. 54 be amended in Section 1 of the original bill by underlining the words: "exclusive of the federal share and limited to the federal matching maximum," appearing in the first sentence of the quoted portion of Section 1, and by underlining the words: "The amount of approved old age assistance grants over that to which contribution is made by the federal government shall be borne solely by the state department without reimbursement by the county department, provided, however, that no county board shall approve an old age assistance grant that is not in conformity with the standards of assistance established by the state department.", the same being the entire last sentence of said Section 1.

And further amend House Bill No. 54 in Section 2 of the original bill by underlining the words: "exclusive of the federal share and limited to the federal matching maximum", appearing in the first sentence of the quoted portion of Section 2, and by underlining the words: "The amount of approved aid to needy blind grants over that to which contribution is made by the federal government shall be borne solely by the state department without reimbursement by the county department; provided, however, that no county department shall approve an aid to needy blind grant that is not in conformity with the standards of assistance established by the state department.", the same being the entire last sentence of said Section 1.

And as so amended recommend: That House Bill No. 54 do pass.

HOINESS, Chairman.

Committee arose and reported.

Substitute motion by Burns that House Bill No. 8 be segregated from the report of Committee of the Whole.

A roll call vote and entry in the Journal having been demanded by the required number, same was as follows: Barnard, Burns, Cotton, Dokken, Domke, Dusak, Emmons, Harlow, Holding, Hess, Jarussi, Karlberg, Koch, Loble, MacDonald, McCarthy, Martin, Mernin, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tripp, Trout, Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 27.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Hoiness, Holtz, Howard, Hunter, Jensen, Krieg, Laas, Loughran, McElwain, McKenna, Mulrone, Nixon, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Taber, Taylor, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total 58.

Absent and not voting: Ganson, Gunderson, Michels, Standish, Tierney. Total 5.

Motion lost.

Report of the Committee of the Whole adopted.

Moved by Loble that the House recess until 2 P. M. this day.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: H. B. Nos. 50, 132, 133, 134 and 135.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tripp, Anderson (Phillips), Mernin, Taber: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the constitution of Montana, relating to amending the constitution of the State of Montana and providing that amendments to the constitution of Montana shall require a vote of three-fifths of the members voting in each house prior to submission to the qualified electors and repealing the provision that only three amendments may be submitted to the electorate at any general election."

By Peterson, Holding, Karlberg, Bricker, Harpster, Skibby: A joint resolution entitled: "A joint resolution requesting the registrar of motor vehicles of the State of Montana to exercise its reciprocal agreement power in relation to registration and licensing of motor vehicles."

By Esp and Scofield: A bill for an act entitled: "An act to amend Section 2 of Chapter 206 of the laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, relating to a predatory animal control program for sheep protection; fixing the time when the levy of the annual license fee shall be made; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect."

By Clark (Silver Bow), Dwyer, McCarthy, Mulroney, Koch: A bill for an act entitled: "An act to repeal Sections 11566.3, 11566.4 and 11566.5, Revised Codes of Montana, 1935, relating respectively to definition of entertainment, entertainment in establishments licensed to sell beer and providing penalty."

By Committee on Military Affairs, Burns, Chairman: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans' Administration of the United States government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment: repealing all acts and parts of acts in conflict."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 do not pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

DUNCAN, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Westlake that House Bill No. 41 be taken from General Orders and be re-referred to Committee on Public Morals, Charities and Reforms. Carried.

### CONSIDERATION OF MESSAGES FROM THE SENATE

January 28, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 3 by Busch.

Respectfully,

LOU E. BRETZKE,  
Assistant Secretary of the Senate.

January 28, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House: House Bill No. 26 by MacDonald.

Respectfully,

LOU E. BRETZKE,  
Assistant Secretary of the Senate.

January 28, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 33 by the Committee on Elections and Privileges.

Respectfully,

LOU E. BRETZKE,  
Assistant Secretary of the Senate.

Moved by Loble that the balance of the communications from the Senate be considered read at length and the Journal so show. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

#### SENATE BILLS

Senate Bill No. 33, introduced by Committee on Elections and Privileges: A bill for an act entitled: "An act to amend Section 803 of the Revised Codes of Montana of 1935, relating to state canvassers, composition and meeting of board." Referred to Committee on Elections and Privileges.

Senate Bill No. 3, introduced by Busch: A bill for an act entitled: "An act to amend Section 459.1 of the Revised Codes of Montana, 1935, as last amended by Chapter 139, of the Session Laws of Montana of 1943, relating to the compensation of state officers and employees." Referred to Committee on State Board and Offices.

#### HOUSE BILLS

House Bill No. 193, introduced by Jarussi: A bill for an act entitled: "An act to amend Section 5070, Revised Codes of Montana, 1935, as amended by Chapter 18, Montana Session Laws 1939, as amended by Chapter 29, Montana Session Laws 1941, as amended by Chapter 153, Montana Session Laws, 1947, relating to limits under which municipal corporations may contract for work, or for supplies, or for material, providing when establishment for bids is necessary, advising the period for such establishment, establishing limits for such contracts, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 194, introduced by Koch, Ballard, Tierney, Loughran, Foley, Martin, Oliver and Hunter: A bill for an act entitled: "An act authorizing George A. Neal to file with the State Board of Examiners his claim against the State of Montana, for compensation for injuries received by said George A. Neal while his automobile was chained to a snowplow of Montana State Highway Commission, in a collision on a public highway near Basin, Montana, resulting from the failure of the operators of said snowplow to signal or warn oncoming automobiles, approaching in the night time, of the blocking of the highway by the snowplow and automobile while George A. Neal was in a helpless position in his automobile and when drivers of oncoming traffic were blinded by the negligent failure of the operators of the snowplow to dim bright lights thereon, and authorizing said State Board of Examiners to hear, audit and determine the said claim of George A. Neal, and making an appropriation to pay any such claim of said George A. Neal which the said State Board of Examiners may approve and allow." Referred to Committee on Appropriations.

House Bill No. 195, introduced by Clark (Silver Bow): A bill for an act entitled: "An act to define and regulate the business of lending small sums of money in a retail manner in amounts of seventy-five dollars (\$75.00) or less; to authorize and provide for the licensing of persons engaged in such business; to permit licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this act; to provide for the making of examinations and investigations; to prescribe penalties; to provide for appeal from administrative acts hereunder and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 50 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Phillips, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 71.

Noes: Ballard, Clark (Silver Bow), Goodgame, Holding, Howard, Mernin, Peterson, Pierce, Tierney, Tripp. Total 10.

Absent and not voting: Armstrong, Brenner, Corcoran, Hess, Jarussi, McKenna, Page (Missoula), Skibby, Standish. Total, 9.

House Bill No. 132 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite) Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 77.

Noes: None.

Absent and not voting: Brenner, Corcoran, Dwyer, Harpster, Hess, Jarussi, McKenna, Michels, Nixon, Page (Missoula), Skibby, Standish, Tierney. Total 13.

House Bill No. 133 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Jensen, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 76.

Noes: None.



Absent and not voting: Ballard, Corcoran, Dwyer, Hess, Hunter, Jarussi, Karlberg, Laas, McKenna, Page (Missoula), Pierce, Skibby, Standish, Tierney. Total 14.

House Bill No. 134 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 78.

Noes: None.

Absent and not voting: Brenner, Corcoran, Dwyer, Hess, Hoiness, Jarussi, McKenna, Page (Missoula), Phillips, Skibby, Standish, Tierney. Total 12.

House Bill No. 135 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 79.

Noes: None.

Absent and not voting: Brenner, Corcoran, Dwyer, Hess, Jarussi, McKenna, Page (Missoula), Phillips, Skibby, Standish, Tierney. Total 11.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed Emmons of Deer Lodge to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business of General Orders, recommend:

That House Bill No. 65 do pass.

That House Bill No. 52 do pass.

That House Bill No. 131 do pass.

That House Bill No. 51 do pass.

That House Joint Memorial No. 5 do pass.

That House Bill No. 25 do pass.

That House Bill No. 136 do pass.

That House Bill No. 137 do pass.

That House Bill No. 48 do pass.

That House Bill No. 118 consideration passed for the day.

That Senate Bill No. 8 be concurred in.

That Senate Bill No. 14 be concurred in.

EMMONS, Chairman.

Report adopted.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 120, 97 have been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Clark (Silver Bow), Tierney, Krieg, Bricker and Hoiness: A bill for an act entitled: "An act relating to the insurance laws of the State of Montana; providing for the revision and recodification thereof; directing the State Auditor and Ex officio Commissioner of Insurance to prepare the same; and making an appropriation therefor."

Moved by Loble that the House adjourn until 10:00 A. M. January 29, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 29, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Brenner, Corcoran, Domke, Jensen, Krieg, McElwain, Mernin, Michels, O'Neil, Robertson, Sales, Skibby, Standish, Taylor and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Twenty-sixth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 72, 143, 95, 96, 98, 99, 100 and House Joint Resolution No. 1, have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 25, 48, 52, 54 and House Joint Memorial No. 5.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 65, 131, 136 and 137.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Clark (Musselshell), Culbertson, Jarussi, Barnard, Dusak, Williams, Emmons, Peterson, Burns, Holding, Hess, Nixon, Tripp and MacDonald: A bill for an act entitled: "An act amending Section 3449 of the Revised Codes of Montana, 1935, relating to the qualifications of state coal-mine inspector; and amending Section 3450 of the Revised Codes of Montana, 1935, as amended by Chapter 113, Session Laws 1941 and Chapter 38, Session Laws 1941, relating to the powers and duties of the state coal-mine inspector; and amending Section 3453 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1945, relating to the posting of statements at mine entrances; and amending Section 3459 of the Revised Codes of Montana, 1935, relating to the appointment of the board of examiners; and amending Section 3460 of the Revised Codes of Montana, 1935, relating to examination of applicants—scope—certificates of competency—and revocation; and amending Section 3461 of the Revised Codes of Montana, 1935, relating to the method of making applications for examinations; and amending Section 3463 of the Revised Codes of Montana, 1935, relating to the meetings of examining board and method of grading; and amending Section 3467 of the Revised Codes of Montana, 1935, relating to the Board of Examiners of state coal-mine inspector; and amending Section 3473 of the Revised Codes of Montana, 1935, relating to the qualifications of mine examiners; and amending Section 3474 of the Revised Codes of Montana, 1935, relating to the granting of certificates by the examining board; and amending Section 3476 of the Revised Codes of Montana, 1935, relating to applications and fees for examinations; and amending Section 3478 of the Revised Codes of Montana, 1935, relating to violations; and amending Section 3480 of the Revised Codes of Montana, 1935, relating to underground surveys; and amending Section 3484 of the Revised Codes of Montana, 1935, relating to mine surveys; and amending Section 3489 of the Revised Codes of Montana, 1935, relating to hoisting; and amending Section 3492 of the Revised Codes of Montana, 1935, relating to mine openings and escapeways; and amending Section 3496 of the Revised Codes of Montana 1935, relating to surface buildings; and amending Section 3501 of the Revised Codes of Montana, 1935, as amended by Chapter 146, Session Laws 1937, by Chapter 145, Session Laws, 1939, and by Chapter 38, Session Laws of 1945, relating to ventilation of mines; and amending Section 3509 of the Revised Codes of Montana, 1935, relating to mine timber and supplies; and amending Section 3510 of the Revised Codes of Montana, 1935, relating to mine transportation; and amending Section 3515 of the Revised Codes of Montana, 1935, relating to the duties of mine foreman; and amending Section 3516 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945, relating to duties of mine examiners; and amending Section 3521 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws 1935 relating to

explosives and blasting; and amending Section 3538 of the Revised Codes of Montana, 1935, relating to reports to state coal-mine inspector; and amending Section 3539 of the Revised Codes of Montana, 1935, relating to duty of state coal-mine inspector; and amending Section 1 of Chapter 32 of the Session Laws of Montana, 1945, relating to electricity; and specifically repealing Section 3475 of the Revised Codes of Montana, 1935, relating to certificates issued to those holding certificates from other states; and repealing Section 3490 of the Revised Codes of Montana, 1935, relating to passageway around bottom of shafts; and repealing Section 3491 of the Revised Codes of Montana, 1935, relating to gates at the top of shafts; and repealing Section 3493 of the Revised Codes of Montana, 1935, relating to number of men that can be employed until escapement connection is completed; and repealing Section 3494 of the Revised Codes of Montana, 1935, relating to passageways to escapements; and repealing Section 3495 of the Revised Codes of Montana, 1935, relating to distance of escapement from main shaft; and repealing Section 3497 of the Revised Codes of Montana, 1935, relating to stairways or cages in escapement shafts; and repealing Section 3503 of the Revised Codes of Montana, 1935, relating to number of persons permitted to work in one air current; and repealing Section 3504 of the Revised Codes of Montana, 1945, as amended by Chapter 38 Session Laws, 1945, relating to crosscuts and brattices for ventilation; and repealing Section 3505 of the Revised Codes of Montana, 1935, relating to operation of ventilating fans, furnaces, etc.; and repealing Chapter 30 Session Laws of 1945 relating to regulating and defining gaseous mines; and repealing Section 3522 of the Revised Codes of Montana, 1935, as amended by Chapter 38, Session Laws, 1945, relating to manner of handling explosives; and repealing Section 3523 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945, relating to tamping tools; and repealing Section 3524 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945, relating to system of blasting; and repealing Section 3527 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945, relating to duties of motormen, trip riders, and drivers; and repealing Section 3526 of the Revised Codes of Montana, 1935, relating to persons permitted to ride on haulage trips; and repealing all acts and parts of acts in conflict herewith."

By Hoiness: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana, an amendment to Article VIII, Section 24, of the constitution of the State of Montana relating to the establishment and abolition of inferior courts within the State of Montana and to provide for their jurisdiction."

By Peters, Bricker, Westlake, Goodgame, McCarthy, Koch, Armstrong, Hawks and Hoiness: A joint resolution entitled: "A joint resolution designating the Ponderosa Pine as the state tree of Montana."

By Williams, Laas, Cotton, Anderson (Phillips), and Burns: A bill for an act entitled: "A supplemental appropriation bill creating the Montana department of civil air patrol; authorizing cooperation between said patrol and the government of the United States or any agency or department thereof and making an appropriation of money to carry out the provisions of this act."

By Anderson (Hill), Williams, Clark (Musselshell), Beck and Ewing: A bill for an act entitled: "An act to establish a system of state examination for master and journeyman plumbers; fixing the fees to be charged for state licenses, and the disposition of the fund thus created, and providing penalties for the violation of the provisions of this act; repealing the following sections of the Revised Codes of Montana, 1935, to-wit: Sections 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192, and 5193, and repealing all acts or parts of acts in conflict herewith."

By Nixon and Cunningham: A bill for an act entitled: "An act to provide for the levying against and collection from every operator of



motor trucks of a tax for the use of the highways of the State of Montana to apply on the cost of administration of this act and for the maintenance, operation, construction and reconstruction of highways: providing the rate of such tax; defining certain words and phrases; providing for the distribution of such tax; providing for the application hereof to motor carriers engaged in interstate and foreign commerce; providing for certain records and accounts to be kept by such motor truck operators and motor carriers; providing for an annual report to be made to the governor and repealing all acts and parts of acts in conflict herewith and providing when this act shall take effect."

By Howard: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of three hundred dollars (\$300) or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges and to prescribe maximum rates of charge; to provide for the administration and enforcement of this act by the State Auditor; to provide for the issuance of regulations and orders therefor; to authorize the making of examinations and investigations and the making of reports thereof; to provide for disposition of license and investigation fees; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith."

By O'Neil and Aronow: A memorial entitled: "A memorial of the House of Representatives of Montana, to the Honorable Harry S. Truman, President of the United States of America, Honorable James E. Murray and Zales N. Ecton, Senators, and Honorable Mike Mansfield, and Wesley A. D'Ewart, Representatives, and Franklin D. Richards, Administrator, Federal Housing Administration, urging that congress revise the federal housing act in order that present day housing problems may be realistically met; and urging that the federal government establish a secondary market for loans on new residence property and for new loans under the G. I. act and take such steps as may be necessary to provide low rental housing for Montana needs."

By Jarussi: A bill for an act entitled: "An act designating the State Board of Health of Montana as water pollution agency for purposes of the federal water pollution control act; prescribing its powers; providing for cooperation with the surgeon general and other agencies of the federal government, other states, interstate agencies and other interested parties in all matters relating to water pollution, including the development of programs for eliminating or reducing pollution and improving sanitary conditions of waters; providing for the application and expending of federal funds; providing for the approval of projects for which application for loans or grants under the federal act is made by an municipality or agency of the State of Montana or by an interstate agency; providing for the participation in proceedings under the federal act to recommend measures for abatement of water pollution and to give consent on behalf of the state to request to the attorney general for the bringing of suit for abatement of water pollution; providing for the cooperation of all state officers, departments and institutions with the water pollution agency."

By Jarussi: A bill for an act entitled: "An act to amend Section 5 of Chapter 163, Montana Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to license fees to be paid by certain mercantile establishments."

By Domke, Harken and Harlow: "A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income tax deductions."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under



consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do not pass.

COMMITTEE ON JUDICIARY,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

GUNDERSON, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble that the Communications from the Senate be considered read at length and the Journal so show. Carried.

#### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 195 be taken from the Committee on Judiciary and be re-referred to the Committee on Banks and Banking. Carried.

Moved by Loble that consideration of House Bill No. 25 on Third Reading be passed for the day. Carried.

#### INTRODUCTION OF BILLS, MEMORIALS AND RESOLUTIONS

The following Bills, Memorials and Resolutions were introduced, read

first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Resolution No. 2, introduced by Peterson, Holding, Karlberg, Bricker, Harpster and Skibby: "A joint resolution requesting the registrar of motor vehicles of the State of Montana to exercise its reciprocal agreement power in relation to registration and licensing of motor vehicles." Referred to Committee on Highways and Highway Transportation.

House Bill No. 196, introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, by exempting from payment of income taxes certain benefits, compensation and allowances paid by the Veterans' Administration of the United States government, or under any laws of the United States to veterans of World War I and World War II, whose discharge is other than dishonorable and who was a resident of Montana at time of enlistment; repealing all acts and parts of acts in conflict." Referred to Committee on Military Affairs.

House Bill No. 197, introduced by Sales: A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commissioners of the State of Montana to sell and convey the lands described as: Lots 5, 6, 7, and 8 in section 22, township one north, range 8 east of the Montana meridian in Park County, Montana, for cash, to the best interest of the Montana Agricultural Experiment Station and the State of Montana, said lands having hereto been purchased with trust funds of the station for range purposes and cannot be longer used for that purpose." Referred to Committee on State Lands.

House Bill No. 198, introduced by Clark, Dwyer, McCarthy, Mulroney and Koch: A bill for an act entitled: "An act to repeal Sections 11566.3, 11566.4 and 11566.5, Revised Codes of Montana, 1935, relating respectively to definition of entertainment, entertainment in establishments licensed to sell beer and providing penalty." Referred to Committee on Judiciary.

House Bill No. 199, introduced by Gunderson, Mernin, Tripp, Burns and Dusak: A bill for an act entitled: "An act to amend Section 2344.4, Revised Codes of Montana, 1935, relating to the metalliferous mines license tax; providing that such tax be increased." Referred to Committee on Revenue and Taxation.

House Bill No. 200, introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 2 of Chapter 206 of the Laws of the Twenty-eighth Legislative Assembly of the State of Montana 1943 relating to a predatory animal control program for sheep protection; fixing the time when the levy of the annual license fee shall be made; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." Referred to Committee on Livestock and Public Ranges.

House Bill No. 201, introduced by Clark (Silver Bow), Tierney, Krieg, Bricker, and Hoiness: A bill for an act entitled: "An act relating to the insurance laws of the State of Montana; providing for the revision and recodification thereof; directing the state auditor and ex-officio commissioner of insurance to prepare the same; and making an appropriation therefor." Referred to Committee on Insurance.

House Bill No. 202, introduced by O'Neil, Armstrong and Burns: A bill for an act entitled: "An act providing for cancellation of record of special improvement district warrants and liability accounts in cities which warrants or liability accounts were incurred or issued prior to February 25, 1929, and the liability of which has been extinguished by reason of issuance of tax deeds, by application of statute of limitations, or other laws of the State of Montana." Referred to Committee on Judiciary.

House Bill No. 203, introduced by Tripp, Anderson (Phillips), Mernin, and Taber: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of Montana, relating to amending the constitution of the State of Montana and providing that amendments to the constitution of Montana shall require a vote of three-fifths of the members voting in each house prior to submission to the qualified electors and repealing the provision that only three amendments may be submitted to the electorate at any general election." Referred to Committee on Constitutional Amendments.

House Bill No. 204, introduced by Harlow and Jensen: A bill for an act entitled: "An act to repeal Sections 5724, 5725, 5726, 5727, Revised Codes of Montana, 1935, relating to contract marriages." Referred to Committee on Judiciary.

House Bill No. 205, introduced by Hoiness: A bill for an act entitled: "An act to amend Section 9482 of the Revised Codes of Montana, relative to the service of summons by publication, and repealing all acts or parts of acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 206, introduced by Hoiness: A bill for an act entitled: "An act to amend Section 4987 Revised Codes of Montana of 1935, providing for the submission of plats to the city or town council or to the county commissioners for approval, and setting forth circumstances under which such plats may be rejected." Referred to Committee on Judiciary.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Bill No. 8, was concurred in by the following vote: Anderson (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 72.

Noes: Total None.

Absent and not voting: Brenner, Bricker, Corcoran, Domke, Ewing, Jensen, Krieg, McKenna, Mernin, Michels, Nixon, O'Neil, Robertson, Skibby, Standish, Taylor, Tierney, and Working. Total 18.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length.

House Bill No. 48, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Burns, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt,

Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 68.

Noes: Total none.

Absent and not voting: Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Corcoran, Domke, Hunter, Jensen, Krieg, McKenna, Mernin, Michels, Nixon, O'Neil, Standish, Robertson, Skibby, Taylor, Tierney, Williams, and Working. Total 22.

House Bill No. 52, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jarussi, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 68.

Noes: Phillips and Sales. Total 2.

Absent and not voting: Brenner, Bricker, Corcoran, Domke, Howard, Hunter, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Nixon, O'Neil, Robertson, Skibby, Standish, Taylor, Tierney and Working. Total 20.

House Bill No. 54, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cotton, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 73.

Noes: None.

Absent and not voting: Barnard, Brenner, Bricker, Corcoran, Domke, Jensen, Krieg, McKenna, Mernin, Michels, O'Neil, Robertson, Skibby, Standish, Taylor, Tierney, and Working. Total 17.

House Joint Memorial No. 5, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall,



Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 71.

Noes: None.

Absent and not voting: Blenkner, Brenner, Bricker, Corcoran, Domke, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Mulroney, O'Neil, Robertson, Skibby, Standish, Taylor, Tierney, and Working. Total 19.

House Bill No. 65, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 70.

Noes: None.

Absent and not voting: Brenner, Bricker, Corcoran, Domke, Dwyer, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Mulroney, O'Neil, Phillips, Robertson, Skibby, Standish, Taylor, Tierney and Working. Total 20.

House Bill No. 131, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 68.

Noes: None.

Absent and not voting: Brenner, Bricker, Corcoran, Domke, Dwyer, Howard, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Mulroney, Nixon, O'Neil, Phillips, Robertson, Skibby, Standish, Taylor, Tierney and Working. Total 22.

House Bill No. 136, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Karlberg,



Laas, Loughran, Loble, MacDonald, McCarthy, McElwain, Martin, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker:

Ayes: Total 68.

Noes: None.

Absent and not voting: Brenner, Bricker, Corcoran, Domke, Duncan, Ganson, Howard, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Mulroney, O'Neil, Phillips, Robertson, Skibby, Standish, Taylor, Tierney, and Working. Total 22.

House Bill No. 137, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), and Mr. Speaker.

Ayes: Total 67.

Noes: None.

Absent and not voting: Brenner, Bricker, Corcoran, Cunningham, Domke, Howard, Jensen, Koch, Krieg, McKenna, Mernin, Michels, Mulroney, Nixon, O'Neil, Phillips, Robertson, Skibby, Standish, Taylor, Tierney, Wilson (Judith Basin) and Working. Total 23.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Page of Missoula to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend:

That House Bill No. 118 do pass.

That House Bill No. 120 do pass.

That House Bill Nos. 95, 96, 97, 98, 99 and 100 be passed for the day.

That House Joint Resolution No. 1 do pass.

That House Bill No. 143 do pass.

That House Bill No. 58 do pass.

That Senate Bill No. 10 consideration passed for the day.

That House Bill No. 60 do pass.

That House Bill No. 72 be amended in Section 2 by striking out in line 12, page 2 (printed bill) the words "medical doctor" and inserting in lieu thereof the words "Doctor of Medicine", and as so amended, recommend House Bill No. 72 do pass.

PAGE (Missoula), Chairman.

Report adopted.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Esp and Scofield: A bill for an act entitled: "An act to amend Section 3308.3 Revised Codes of Montana, 1935, relating to the duty of mortgagees to file satisfaction of mortgages filed with the Recorder of Marks and Brands and providing penalties for failure to file such satisfactions."

By Hunter and Haytin: A bill for an act entitled: "An act to amend Section 6355.1 of the Revised Codes of Montana, 1935 as amended by Chapter 187 of the Session Laws of 1945 relating to Building and Loan Associations and Savings and Loan Associations and specifically defining members of Building and Loan Associations and Savings and Loan Associations."

By Hunter and Haytin: A bill for an act entitled: "An act to amend Section 6355.2 of the Revised Codes of Montana, 1935 relating to Articles of Incorporation and the contents thereof by inserting in sub-section 1 in the name of the association the words "or Savings and Loan Association."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill Nos. 3, 18 and 26.

WIEDMAN, Chairman.

House please take notice: Speaker is about to sign House Bill Nos. 3, 18, and 26 in open session.

January 29, 1949.

I have examined House Bill No. 3 introduced by me and find the same to be correct.

ANDERSON (Phillips).

January 29, 1949.

I have examined House Bill No. 18 introduced by me and find the same to be correct.

McELWAIN.

January 29, 1949.

I have examined House Bill No. 26 introduced by me and find the same to be correct.

MacDONALD.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 82 and 104 have been returned correctly printed.

BECK, Vice Chairman.

It was moved by Loble, that the House adjourn until 11:00 A. M. Monday, January 31, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## TWENTY-NINTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
January 31, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call all members were present except Corcoran, Foley, Hoiness, Laas, McKenna, Sales and Tierney excused, and Standish absent.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Twenty-Eighth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 164 has been returned correctly printed.

BECK, Vice Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: House Bill Nos. 58, 60, 118, 143, House Joint Resolution No. 1.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Domke and Aronow: A House Memorial entitled: "A House Memorial to the President of the United States, Harry S. Truman, Senator James E. Murray, Senator Zales N. Ecton, Congressmen Mike Mansfield and Wesley D'Ewart, the President of the United States Chamber of Commerce, and the Governors, respectively, of the State of Montana, Idaho, Wyoming, Colorado, Utah, Washington, Oregon, North Dakota, South Dakota, Nebraska and Kansas, and the governors of any other states who might co-operate, requesting joint action in securing continuation of the Small Business Committee of the United States Senate and urging said above named officials to make immediate contact with their respective representatives in Congress."

By Nixon, Harpster and Michels: A bill for an act entitled: "An act to provide for a use tax on new motor vehicles on which no property tax has been paid and for which the purchaser thereof seeks to have licensed in the State of Montana; providing for the rate of such tax; providing for the collection thereof by the county treasurers of the respective counties in the State of Montana; providing for the proceeds of said tax to be deposited in the State Highway General Fund in the State Treasury; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith."

By McCarthy, Emmons, Ballard, Scofield and Wiedman: A bill for an act entitled: "An act to amend Section 3694, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 159, Session Laws, 1941, and by Section 5, Chapter 224, Session Laws 1947; relating to fish and game."

By Page (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5 and 6 of Article V of the Constitution of the State of Montana, relating to the Legislative Department; providing that the Legislative Assembly shall meet each year for a period not to

exceed forty-five days; providing for a limitation on the introduction of appropriation bills."

By Emmons, Smith, Trout and Beck: A bill for an act entitled: "An act to amend Sections 292 and 293.7, of the Revised Codes of Montana, 1935, relating to purchasing supplies by the State Purchasing Agent; Authorizing such purchases to be made by solicitation of bids by mail from prospective bidders listed with the State Purchasing Agent without advertising; providing for listing of prospective bidders; providing for advertising for bids exceeding an estimated cost of two thousand dollars (\$2000.00) or more, within discretion of State Purchasing Agent; providing for purchase in certain cases on open market with approval of the governor; repealing all acts and parts of acts in conflict herewith."

By McElwain: A bill for an act entitled: "An act to amend Section 10171 of the Revised Codes of Montana, 1935, providing for the time within which claims may be presented against estates."

By McElwain: A bill for an act entitled: "An act providing for the sale or lease of tax title, city or town lots, or buildings by the Board of County Commissioners; providing for appraisal, sale or lease, notice of sale and terms; and providing for taxation after sale."

By Koch: A bill for an act entitled: "An act to amend Section 10375 of the Revised Codes of Montana, 1935, as amended by Chapter 130 of the Twenty-Eighth Session of the Legislative Assembly of Montana, relating to termination of life estate or joint tenancy and determination of inheritance tax."

By Committee on Fish and Game, Ballard, Chairman: A bill for an act entitled: "An act to amend Chapter 88, Laws of the Thirtieth Legislative Assembly, relating to the appointment of license agents for the State Fish and Game Commission, fixing their bond and compensation, providing for remittance of license fees and reports; providing that license agents may administer oaths to applicants for licenses, and repealing all other acts and parts of acts in conflict herewith."

By Peterson, Harpster, Taber, Harlow, Cotton, Barnard and Hess: A bill for an act entitled: "An act to provide for the growth and expansion of the public school fund; providing for the levying and collection of severance taxes and allocation of the revenues derived therefrom to the public school fund; prescribing a penalty for the evasion of such taxes; appropriating funds to effectuate the purposes herein."

By Tierney, Foley, Dwyer, Clark (Silver Bow) and Howard: A bill for an act entitled: "An act to amend Section 2815.63 Revised Codes of Montana, 1935, as amended by Section 1, Chapter 30, Laws of 1937, as amended by Chapter 243 Laws of 1947, relating to fixing the salaries of State Liquor Store Vendors, and other employees of State Liquor Stores."

By Koch: A bill for an act entitled: "An act to amend Section 10030, Revised Codes of Montana, 1935, relating to proof of wills when there is no contest."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 be amended as follows:

In the Title, by striking out in line 4 the word "subsidize" and inserting in lieu thereof the word "assist"; and by striking out the word "dependent" wherever it appears.

In section 1, Page 1, Line 13, of the original bill, by striking out the word "subsidize" and insert in lieu thereof the word "assist"; and deleting the word "dependent" in line 14; in line 16 strike out the "," following the word school, and strike out the words "to furnish", and insert in lieu thereof the words "by furnishing"; and in line 17, following the word "children"; strike out the words "to furnish" and insert in lieu thereof the words "or by furnishing"; delete the word "dependent" in line 24; and in line 25 strike out the word "facilities" inserting the word "assistance" in lieu thereof; and on line 32 following the word "prescribed" insert the words "by law".

On page 2, line 1, strike out the words "by Section 1019.7 Revised Codes of Montana, 1935," and as amended the Committee recommend the bill do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 9, respectfully report as follows: That Senate Bill No. 9 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 105 recommend that House Bill No. 105 be amended as follows:

Line 11 of the original bill, the words and figures six hundred dollars (\$600.00) be changed to four hundred dollars (\$400.00).

Lines 14 and 15 of the original bill, the words and figures six hundred dollars (\$600.00) be changed to four hundred dollars (\$400.00).

In Line 24, after the semi-colon, insert "providing that this act should be effective only until midnight, the thirty-first day of December, 1954;"

On page 2 of the original bill, lines 5 through 21, the two underlined columns should be reduced by \$100; (Line 5 from \$1,260 to \$1,160—Line 6 from \$1,308 to \$1,208—Line 7 from \$1,356 to \$1,256—Line 8 from \$1,404 to \$1,304—Line 9 from \$1,452 to \$1,352—Line 10 from \$1,500 to \$1,400—Line 11 from \$1,548 to \$1,448—Line 12 from \$1,596 to \$1,496—Line 13 from \$1,644 to \$1,544—Line 14 from \$1,692 to \$1,592—Line 15 from \$1,740 to \$1,640—Line 16 from \$1,788 to \$1,688—Line 17 from \$1,836 to \$1,736—Line 18 from \$1,884 to \$1,784—Line 19 from \$1,932 to \$1,832—Line 20 from \$1,980 to \$1,880—Line 21 from \$2,028 to \$1,928.)

Lines 26 and 27, of page 2, the words and figures two thousand six hundred dollars (\$2,600) should be amended to read two thousand four hundred dollars (\$2,400).

Line 28 on page 2, words and figures four thousand one hundred dollars (\$4,100) should be reduced to three thousand nine hundred dollars (\$3,900).

Line 32 of page 2 and line 1 of page 3, the words and figures two thousand one hundred ninety six dollars (\$2,196) should be reduced to one thousand nine hundred ninety six dollars (\$1,996).

Line 4 of page 3, the words and figures three thousand six hundred dollars (\$3,600) should be reduced to three thousand four hundred dollars (\$3,400).

On page 3 of the original bill, section 3 should read as follows: This act shall be effective only until midnight of the thirty first day of December, 1954.

Line 32 on page 3, Section 3 should be changed to Section 4.



Respectfully report as follows: That House Bill No. 105 As Amended do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 be amended by inserting the word "be" in line 11 after the figure "1947", and as so amended recommend that House Bill No. 142 do pass.

BALLARD, Chairman,  
Committee on Game and Fish.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do pass.

BALLARD, Chairman,  
Committee on Game and Fish.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 do pass.

COTTON, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

January 28, 1949.

The Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to inform you that pursuant to House Memorial No. 2 Mr. L. R. Durkee, Division Engineer, Federal Works Agency, and Deputy Co-ordinator of Federal Agencies, who has his office in Seattle, Washington, has been designated by Major General Philip B. Fleming, Federal Works Administrator, under direction of Harry S. Truman, President of the United States of America, to work with state authorities any way possible to attain the relief set forth in your Memorial.

I have this day designated Scott P. Hart, Chief Engineer of the State Highway Commission, to co-ordinate the services of local and governmental bodies, and to represent, and to act for the State of Montana in procuring the benefits of Federal assistance under emergency conditions.

My information is that there has been allocated from the President's Emergency Fund the sum of \$25,000.00 to be used for this purpose, if desired.

JOHN W. BONNER, Governor.

January 31, 1949.

The Speaker of the House,  
House of Representatives,  
Helena, Montana.

The Montana Rural Rehabilitation Corporation has been dissolved and I am informed that the Secretary of Agriculture of the United States of America, as a result thereof, has in his Trust Fund approximately \$50,000.00 cash and securities, upon maturity, which will amount to between \$600,000.00 and \$700,000.00.

It is my further understanding that legislation will be proposed in the present session of Congress to return the funds held in trust by the Secretary of Agriculture to the states whose Rural Rehabilitation Corporation has expired, as in Montana. Of course, legislation may also be introduced with the view of having such monies in the Trust Fund revert back to the United States.

In order to insure Montana procuring the funds held in trust by the Secretary of Agriculture of the United States of America, I recommend that this Legislature:

1. Pass a Memorial asking the present Congress to enact legislation which will enable the State of Montana to procure the monies in the Trust Fund of the Secretary of Agriculture of the United States of America because of the dissolution of the Montana Rural Rehabilitation Corporation;

2. Pass an act providing for the acceptance of the money in said Trust Fund and designate the State Treasurer of Montana to accept said money and deposit the same in the General Fund, or in any other fund designated by this Legislature in its own good judgment and discretion.

JOHN W. BONNER, Governor.

Speaker referred above to "Committee on Federal Relations."

## MOTIONS AND RESOLUTIONS

Moved by Loble that Senate Bill 14 be taken from Third Reading and re-referred to the Committee on Privileges and Elections. Carried.

## INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

### HOUSE BILLS

House Bill No. 207, introduced by Williams, Laas, Cotton, Anderson (Phillips) and Burns: A bill for an act entitled: "A supplemental appropriation bill creating the Montana Department of Civil Air Patrol; authorizing co-operation between said patrol and the Government of the United States or any agency or department thereof and making an appropriation of money to carry out the provisions of this act." Referred to Committee on Appropriations.

House Bill No. 208, introduced by Howard: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of three hundred dollars (\$300) or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges and to prescribe maximum rates of charge; to provide for the administration and enforcement of this act by the State Auditor; to provide for the issuance of regulations and orders therefor; to authorize the making of examinations and investigations and the making of reports thereof; to provide for disposition of license and investigation fees; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Banks and Banking.

House Bill No. 209, introduced by Domke, Harlow and Harken: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income tax deductions." Referred to Committee on Judiciary.

House Bill No. 210, introduced by Hunter and Haytin: A bill for an

act entitled: "An act to amend Section 6355.2 of the Revised Codes of Montana, 1935, relating to Articles of Incorporation and the contents thereof by inserting in sub-section 1 in the name of the association the words "or Savings and Loan Association." Referred to Committee on Banks and Banking.

House Bill No. 211, introduced by Hunter and Haytin: A bill for an act entitled: "An act to amend Section 6355.1 of the Revised Codes of Montana, 1935 as amended by Chapter 187 of the Session Laws of 1945 relating to Building and Loan Associations and Savings and Loan Associations and specifically defining members of Building and Loan Associations and Savings and Loan Associations." Referred to Committee on Banks and Banking.

House Bill No. 212, introduced by Nixon and Cunningham: A bill for an act entitled: "An act to provide for the levying against and collection from every operator of motor trucks of a tax for the use of the highways of the State of Montana to apply on the cost of administration of this act and for the maintenance, operation, construction and reconstruction of highways; providing the rate of such tax; defining certain words and phrases; providing for the distribution of such tax; providing for the application hereof to motor carriers engaged in interstate and foreign commerce; providing for certain records and accounts to be kept by such motor truck operators and motor carriers; providing for an annual report to be made to the Governor and repealing all acts and parts of acts in conflict herewith and providing when this act shall take effect." Referred to Committee on Highways and Highway Transportation.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 25 being a Constitutional Amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

#### HOUSE BILL NO. 25

Introduced by Westlake, McKenna and Wiedman: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to Section 5, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness or liability of a county without the approval of a majority of the electors thereof."

\*\*\*\*\*

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 5 of Article XIII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1950.

Section 2. That Section 5 of Article XIII of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 5. No county shall be allowed to become indebted in any manner, or for any purpose, to an amount, including existing indebtedness, in the aggregate, exceeding five (5) per centum of the value of the taxable property therein, to be ascertained by the last assessment for

state and county taxes previous to the incurring of such indebtedness, and all bonds or obligations in excess of such amount given by or on behalf of such county shall be void. No county shall incur any indebtedness or liability for any single purpose to an amount exceeding the sum set by law without the approval of a majority of the electors thereof, voting at an election to be provided by law."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided for by Section 678, Revised Codes of Montana, 1935 as amended by Chapter 81 of the laws of the 26th Legislative Assembly of the State of Montana, 1939, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

The elector shall designate his preference for either of the propositions by making an "X" before the proposition for which he desires to vote.

Section 4. The votes cast for and against the Amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor of the State shall so declare by Public Proclamation, and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such Proclamation.

Section 5. This act shall be in full force and effect from and after its passage and approval.

House Bill No. 25, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Cutbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 80.

Noes: Mulroney. Total 1.

Absent and not voting: Corcoran, Domke, Duncan, Hoiness, Laas, McKenna, Nixon, Standish and Tierney. Total 9.

House Bill No. 58, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Ro-



stad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 79.

Noes: None.

Absent and not voting: Barnard, Corcoran, Domke, Duncan, Harpster, Hoiness, Laas, McKenna, Martin, Standish and Tierney. Total 11.

House Bill No. 60, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 76.

Noes: None.

Absent and not voting: Armstrong, Corcoran, Domke, Duncan, Ganson, Hoiness, Laas, McKenna, Martin, Page (Missoula), Phillips, Sales, Standish and Tierney. Total 14.

House Bill No. 118, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, MacDonald, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 80.

Noes: Mernin. Total 1.

Absent and not voting: Corcoran, Domke, Duncan, Hoiness, Laas, Loughran, McKenna, Standish and Tierney. Total 9.

House Bill No. 143, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce,



Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 81.

Noes: None.

Absent and not voting: Corcoran, Domke, Duncan, Hoiness, Laas, McKenna, O'Neil, Standish and Tierney. Total 9.

House Joint Resolution No. 1, was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gundersonn, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulrone, Nixon, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 72.

Noes: Andersen (Richland), Aronow, MacDonald, Oliver, Page (Granite), Skibby, Taylor, Wilson (Judith Basin). Total 8.

Absent and not voting: Corcoran, Cotton, Domke, Duncan, Hoiness, Laas, McKenna, Martin, Standish and Tierney. Total 10.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Blenkner: A bill for an act entitled: "An act to amend Section 10086, Revised Codes of Montana of 1935, providing for the prior rights of relatives to revoke prior letters of administration and granting discretion to court therein and repealing all acts and parts of acts in conflict herewith."

By Blenkner: A bill for an act entitled: "An act to amend Section 10083, Revised Codes of Montana of 1935, providing for revocation of letters of administration and designating who may obtain such revocation, and repealing all acts and parts of acts in conflict herewith."

Moved by Loble that the House recess until 2:00 P. M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill No. 28 and House Memorial No. 1.

WIEDMAN, Chairman.

I have examined House Bill No. 28 introduced by me and find the same to be correct.

EMMONS, Chairman.

I have examined House Memorial No. 1 introduced by me and find the same to be correct.

TRIPP.

Speaker announced to the House that he was about to sign House Bill

No. 28 and House Memorial No. 1 in Open Session, which were thereupon signed by the Speaker and Chief Clerk in Open Session.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 120 and 72.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 51.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 101 and 102 have been returned correctly printed.

O'NEIL, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hess, Beck and Holding: A bill for an act entitled: "An act to amend Section 1743.1, Revised Codes of Montana, 1935, relating to vehicles carrying explosives or passengers for hire to stop at railroad crossings."

By Hawks, Wilson (Treasure), Krieg, Gebhardt, Peters and Pierce: A House Joint Memorial entitled: A Joint Memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation for appropriation of funds by the First Session of the Eighty-First Congress for the building of the Custer Battlefield Museum, at Custer Battlefield National Monument, Montana.

By Ewing, Mulroney, O'Neil, Haytin and Barnard: A bill for an act entitled: "An act to unify, co-ordinate and simplify under one administrative department, the regulation of motor vehicles now diversified in various agencies, by creating the Motor Vehicle Department of the State of Montana, providing for the appointment of a single commissioner by the governor as the principal executive officer of such department, establishing the divisions within the department for registration and licensing of motor vehicles, for inspection and policing of such vehicles and of motor vehicle traffic and promotion of public safety in the use and operation of motor vehicles and enforcement of the laws and regulations providing for such safety, and for the licensing of dealers, factories, finance companies and salesmen, and to protect Montana dealers and distributors against financial and trade coercion and other unfair economic practices; and delegating powers and functions to said department, and presenting the duties of such department in the fields of regulation of motor vehicles, motor vehicle ownership registration, licensing and policing of motor vehicle traffic on highways, and providing for the transfer to the motor vehicle department hereby created of the powers, duties and functions relating to ownership and operation of motor vehicles heretofore delegated to the Montana State Highway Commission, and providing for the transfer of all powers, duties and functions relating to registration, licensing and titles of motor vehicles heretofore delegated to the Warden of the Montana State Prison, and providing for the transfer of all powers, duties and functions respecting motor vehicles heretofore delegated to the State Board of Education and to the State Superintendent of Public Instruction, and providing for the transfer of all powers, duties and functions relating to motor vehicles, their owners and operators heretofore delegated to the Montana Highway Patrol, without impairment or diminution of any such to the end of consolidating and co-ordinating under one administrative department, the administration of all laws relating or applicable to the regulation and policing of motor vehicles and motor vehicle traffic in the public interest, except those laws

whose enforcement is now delegated to the Board of Railroad Commissioners of the State of Montana and excluding from such department any powers with reference to property taxes on motor vehicles."

By Ganson, McElwain, Koch, Dwyer and Dokken: A bill for an act entitled: "An act requiring all bars, saloons and cocktail lounges to light their establishments with at least 50 foot candles of light; and enumerating certain exceptions thereto when said bars, saloons, and cocktail lounges are not provided with electrical power outlets."

By McElwain: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6 of Article V of the Constitution of the State of Montana, relating to sessions of the Legislative Assembly and providing for split legislative sessions, time for such sessions, and providing when bills may be introduced."

By Foley and Tierney: A bill for an act entitled: "An act to amend Section 2 of Chapter 126, Session Laws of the Twenty-Sixth Legislative Assembly, 1939, relating to acquisition, purchase, construction, reconstruction, etc., of public service by cities and towns, by including airport construction and airport building and repealing all acts in conflict."

### MOTIONS AND RESOLUTIONS

Moved by Loble that the following resolution be read at length and spread upon the Journal, and that same be adopted. Carried.

### HOUSE RESOLUTION NO. 2

A House Resolution to the President of the United States, Harry S. Truman, Senator James E. Murray, Senator Zales N. Ecton, Congressmen Mike Mansfield and Wesley D'Ewart, the President of the United States Chamber of Commerce, and the governors, respectively, of the States of Montana, Idaho, Wyoming, Colorado, Utah, Washington, Oregon, North Dakota, South Dakota, Nebraska and Kansas, and the governors of any other states who might co-operate, requesting joint action in securing continuation of the Small Business Committee of the United States Senate and urging said above named officials to make immediate contact with their respective representatives in Congress."

Whereas, Small business is the life-blood of all trade and commercial ventures, the backbone of free enterprises, and substantially is the endeavors which make up our way of life; and

Whereas, The problems of small business should have fair and equal consideration from duly constituted authority as do other problems of interests in this land; and

Whereas, The small business committee of the United States Senate will be merged out of existence on January 31, 1949, unless immediate action is taken by that body to continue it; and

Whereas, The fine work of this special committee in the past, as testified to by Senators Kenneth Wherry and James E. Murray among others, is ample evidence its functions should carry on; and

Whereas, All business may be hampered in presenting its case before governing circles if this committee's work is not sustained:

Now, Therefore, Be It Resolved by the House of Representatives of the State of Montana; that all forementioned officials be requested to proceed with all haste to use the prerogatives vested in their high offices to protect small business enterprise for all Americans by wiring the U. S. Senate at once asking that this committee be continued.

Be It Further Resolved, that a copy of this resolution be forwarded immediately to The President of the United States, the President of the United States Chamber of Commerce and to each of the Governors of the States of Montana, Idaho, Wyoming, Colorado, Utah, Washington, Oregon, North Dakota, South Dakota, Nebraska and Kansas and to each of the Senators and Representatives in Congress from the State of Montana.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a Majority of your Committee on Labor, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 be amended as follows:

Delete the last five words of the title.

Further delete Section 11 and amend Section 12 to read "Section 11".

And as so amended, recommend that the bill do pass.

HELDING,  
DUSAK,  
GUNDERSON,  
TROUT and  
BURNS.

Mr. Speaker: We, a Minority of your Committee on Labor, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do not pass.

SMITH,  
GOODGAME,  
FOLEY and  
MARTIN.

Moved by Holding that the report of the Majority be adopted.

Moved as a substitute motion by Foley that the report of the Minority of the Committee be adopted.

A roll call vote and entry in the Journal having been demanded by the required number, same was as follows: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Harken, Hawks, Haytin, Howard, Jensen, Krieg, Loughran, McCarthy, McElwain, Martin, Mulrone, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Westlake, Wiedman, Williams, Wilson (Treasure) and Working.

Ayes: Total 51.

Noes: Anderson (Hill), Aronow, Barnard, Beck, Burns, Clark (Mus-selshell), Cotton, Culbertson, Cunningham, Dusak, Ganson, Gunderson, Harlow, Harpster, Holding, Hess, Holtz, Jarussi, Karlberg, Koch, Loble, MacDonald, Mernin, Michels, O'Neil, Peterson, Robertson, Tripp, Trout, Van Dyke, Wilson (Judith Basin) and Mr. Speaker. Total 32.

Absent and not voting: Hall, Hoiness, Hunter, Laas, McKenna, Nixon, and Smith. Total 7.

Report of Minority carried.

Mr. Speaker: We, a Majority of your Committee on Railroads and

Railroad Transportation, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

TROUT,  
VAN DYKE,  
BURNS,  
HARPSTER,  
HESS,  
TRIPP,  
JENSEN,  
COTTON and  
EWING.

Mr. Speaker: We, a Minority of your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do not pass.

GEBHARDT,  
HOWARD,  
FRERICH,  
ESP,  
WILSON and  
HAWKS.

Moved by Cotton that the Majority report be adopted.

Substitute motion by Gebhardt that the Minority report be adopted.

Moved by Trout that demand be made for a roll call vote and also request for Journal entry, there being a sufficient number of seconds. Carried.

Moved by Burns for a Call of the House.

On roll call, the following were found to be absent and excused: Corcoran, Foley, Hoiness, Laas, McKenna, Sales and Tierney.

Moved by Taylor that progress having been made that the Call of the House be dispensed with. Carried.

Armstrong, Ballard, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Hawks, Howard, Koch, Krieg, Loughran, Martin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Westlake, Wiedman, Wilson (Treasurer).

Ayes: Total 38.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Dusak, Emmons, Ewing, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Loble, McCarthy, McElwain, Mernin, Michels, Nixon, O'Neil, Peterson, Robertson, Tripp, Trout, Van Dyke, Williams, Wilson (Judith Basin), Working and Mr. Speaker. Total 43.

Absent and not voting: Duncan, Hall, Hoiness, Hunter, Laas, MacDonald, McKenna, Smith and Tierney. Total 9.

Motion lost.

Report of the Majority Committee adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 197, respectively report as follows: That House Bill No. 197 do pass.

BARNARD, Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

JARUSSI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 be amended as follows:

Page 1, Section 3, Line 25: Insert: "Make recommendation to the next Legislature", as amended be referred to the Committee on Appropriations.

JENSEN, Chairman.

Report adopted.

### INTRODUCTIONS OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

#### HOUSE

House Joint Resolution No. 3, introduced by Peters, Hawks, Bricker, Westlake, Goodgame, Koch, McCarthy, Hoiness and Armstrong: A joint resolution designating the Ponderosa Pine as the State Tree of Montana. Referred to Committee on Conservation of Resources.

House Bill No. 213, introduced by Jarussi: A bill for an act entitled: "An act designating the State Board of Health of Montana as water pollution agency for purposes of the Federal Water Pollution Control Act; prescribing its powers; providing for co-operation with the Surgeon General and other agencies of the federal government, other states, interstate agencies and other interested parties in all matters relating to water pollution, including the development of programs for eliminating or reducing pollution and improving sanitary conditions of waters; providing for the application and expending of federal funds; providing for the approval of projects for which application for loans or grants under the federal act is made by any municipality or agency of the State of Montana or by an interstate agency; providing for the participation in proceedings under the federal act to recommend measures for abatement of water pollution and to give consent on behalf of the state to request to the Attorney General for the bringing of suit for abatement of water pollution; providing for the co-operation of all state officers, departments and institutions with the water pollution agency." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 214, introduced by Jarussi: A bill for an act entitled: "An act to amend Section 5 of Chapter 163, Montana Session Laws of the Twenty-Sixth Legislative Assembly, 1939, relating to license fees to be

paid by certain mercantile establishments." Referred to Committee on Judiciary.

Moved by Loble that the House adjourn until 10:00 A. M. Tuesday, February 1, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTIETH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 1, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Corcoran, Goodgame, McKenna, Standish and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Twenty-Ninth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 140 and 155 have been returned correctly printed.

O'NEIL, Chairman.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and that the maker of a motion may open debate for a period of not to exceed five minutes and may close for a period of not to exceed 3 minutes, all other members to be permitted to speak only once on the question for a period of not to exceed 5 minutes. Carried.

Mr. Speaker appointed Holding of Missoula to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration, the following measures, recommend that:

House Bill No. 95 do pass.

House Bill No. 96 do pass.

House Bill No. 97 do pass.

House Bill No. 98 do pass.

House Bill No. 99 do pass.

House Bill No. 100 do pass.

House Bill 104 do pass.

House Bill No. 82 do pass.

Senate Bill No. 9 be concurred in.

Senate Bill No. 17 be concurred in.

House Bill No. 102 do pass.

House Bill No. 164 do pass.

Senate Bill 10 be amended in Section 1 in Line 6 of the printed bill, as amended by the House Committee on Livestock and Public Ranges, by inserting after the figures "\$350.00", the words "per month", and as so amended, recommend that Senate Bill 10 be concurred in.

House Bill No. 101 be amended in Section 2 by inserting in line 7 after the word "during" and before the word "the" the following words: "The Spanish-American War, or", and as so amended, recommend that House Bill No. 101 do pass.

HELDING, Chairman.

Report adopted.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Koch and McElwain: A bill for an act entitled: "An act preventing the selling or giving away of intoxicating liquor to persons under twenty-one (21) years of age; providing penalties therefor; and repealing Section 11048.1 as amended by Chapter 124 of the laws of the Twenty-Sixth Legislative Assembly of the State of Montana, 1941, and all other acts or parts of acts in conflict herewith."

By Domke, Graybill, Bricker, Sales, Dokken, Westlake, Gunderson, Dusak and Holtz: A bill for an act entitled: "An act authorizing and requesting the State Board of Examiners to hear, audit and determine the claim of Margaret W. Peterson, widow of James I. Peterson, alleged to have died as a result of a gun shot wound inflicted by one John Martin, a duly employed fireman at the steam plant on the campus of the Montana State College, Bozeman, Montana, on the 5th day of April, 1948, while the said James I. Peterson, a regularly enrolled and matriculated student at said Montana State College, was engaged in and taking part as an initiate in initiation ceremonies of a well established and recognized student society or fraternity on the campus of said Montana State College; and appropriating the sum of seven thousand five hundred dollars (\$7,500.00)."

By Loble, Cunningham and Nixon: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to make application to the Secretary of Agriculture of the United States to return to the State of Montana, all properties and monies transferred to the United States by the Montana Rural Rehabilitation Corporation, by that certain agreement made and entered into April 30, 1937, by and between Henry A. Wallace, as United States Secretary of Agriculture and W. J. Butler, as president of the Montana Rural Rehabilitation Corporation; designating the State Treasurer of the State of Montana as the officer to whom the transfer of the trust funds or other properties of the Montana Rural Rehabilitation Corporation shall be made; providing that the United States and the Secretary of Agriculture of the United States are to be relieved of and are freed from any and all liabilities of any kind or nature by virtue of any transfer of monies or properties to the Treasurer of the State of Montana; appropriating the sum of \$2,500.00 or so much thereof as may be necessary, out of monies in the general fund of the State Treasury not otherwise appropriated, for use by the governor in carrying out the provisions of this act; providing that all monies received by the State Treasurer under the provisions of this act be deposited by him in the Common School Fund of the State of Montana; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of the act."

By Loble, Cunningham and Nixon: A resolution entitled: "A resolution memorializing the Congress of the United States for the passage of legislation providing for the liquidation of the trusts under the transfer agreements with State Rural Rehabilitation Corporations, similar to H.R. 5905, introduced by Representative Cooley in the Second Session of the 80th Congress of the United States, so as to enable the State of Montana to have returned to it monies and properties transferred in trust on or about April 30, 1937."

By Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 3599 of the Revised Codes of Montana of 1935, as last amended by Section 8, of Chapter 88, of the Laws of Montana of 1939, relating to the testing of seed samples by the Montana Grain Inspection Laboratory, and the fees to be charged therefor and repealing all acts and parts of acts in conflict herewith."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for capitol building repairs and replacements for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for the Montana Highway Patrol for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money to pay the salaries of District Judges for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for salaries and expenses for State Parks for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses to be incurred by the Bureau of Vocational Rehabilitation for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Committee on Highways and Highway Transportation, Nixon, Chairman: A bill for an act entitled: "An act to amend Section 5 of Chapter 37, Laws of the 29th Legislative Assembly of the State of Montana, 1945, relating to monies in the "Montana Highway Patrolmen's Retirement Fund" by providing that the "Montana Highway Patrolmen's Retirement Board" may invest the said monies in bonds of the United States or in bonds of the State of Montana or bonds of any county municipality or school district of the State of Montana."

By Phillips and Dwyer: A bill for an act entitled: "An act to amend Section 21 of Chapter 227, Session Laws of Montana, 1943, as amended by Chapter 116 Session Laws of Montana, 1947, relating to salaries of chief probation officers and deputy probation officers in increasing such salaries, and repealing all acts in conflict."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had

under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 be amended as follows: In lines 6, 7, and 8, of the original typewritten bill strike the following: After the word Montana, "comma (,) wherein the plaintiff is resident, or wherein the act or omission complained of occurred, (comma)" and as amended recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 be amended as follows:



In line 4, Page 2 of the original bill, after the period, insert the following:

Antifreeze labels shall contain formula and statement of performance regarding inflammability, toxic hazards, corrosion action on metals, attack on rubber and car finishes, volatility and decomposition at high temperatures, or any other statements concerning performance. The formula shall specify the principle ingredients. If any of the following are used, the approximate amount shall be stated: Ethylene glycol, glycerin, methanol, alcohol, electrolytic salts, petroleum fractions, sugar or any other ingredient employed for the purpose of lowering the freezing point.

And that as amended, the bill do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

#### STENOGRAPHERS

Eleanor Hanrahan

HESS, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

January 31, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Senate Bill No. 28 by James and Anderson.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

January 31, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith transmitted to the House for concurrence in the Senate amendments:

House Bill No. 13 by Hawks.

House Bill No. 16 by Haytin, Emmons.

House Joint Memorial No. 2 by Nixon et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

January 31, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 38 by Hoffland, Brown.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

January 31, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Bill No. 17 by Appropriations Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

January 31, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House.

House Bill No. 53 by Westlake et al.

House Bill No. 47 by Appropriations Committee.

House Joint Memorial No. 3 by Esp, Scofield.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Jarussi that House Bill 214 be taken from Committee on Judiciary and be re-referred to the Committee on Revenue and Taxation. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

### SENATE

Senate Bill No. 28, introduced by James and Anderson: A bill for an act entitled: "An act to amend Section 7 of Chapter 199 of the Session Laws of Montana of 1943, relating to speed limits on public highways." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 38, introduced by Hofland and Brown: A bill for an act entitled: "An act amending Chapter 121, Laws of Montana, 1939,

authorizing the creation of a safety or reserve fund by Mutual Hail, Fire, Lightning and other Insurance companies authorized under the provisions of Sections 6170 to 6205 of the Revised Codes of Montana of 1935, and authorizing investment of the reserve fund thereof, to include loans secured by first real estate mortgages, and specifying limitations on such loans." Referred to Committee on Insurance.

## HOUSE

House Memorial No. 3, introduced by O'Neil and Aronow: A memorial entitled: "A Memorial of the House of Representatives of Montana, to the Honorable Harry S. Truman, President of the United States of America, Honorable James E. Murray and Zales N. Ecton, Senators, and Honorable Mike Mansfield, and Wesley A. D'Ewart, Representatives, and Franklin D. Richards, Administrator, Federal Housing Administration, urging that Congress revise the Federal Housing Act in order that present day housing problems may be realistically met; and urging that the federal government establish a secondary market for loans on new residence property and for new loans under the G. I. act and take such steps as may be necessary to provide low rental housing for Montana needs. Referred to Committee on Federal Relations.

House Joint Memorial No. 6, introduced by Hawks, Wilson (Treasure), Krieg, Gebhardt, Peters and Pierce: A joint memorial entitled: "A joint memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation for appropriation of funds by the First Session of the Eighty-First Congress for the building of the Custer Battlefield Museum, at Custer Battlefield National Monument, Montana. Referred to Committee on Federal Relations.

House Bill No. 215, introduced by Peterson, Harpster, Harlow, Cotton, Barnard, and Hess: A bill for an act entitled: "An act to provide for the growth and expansion of the public school fund; providing for the levying and collection of severance taxes and allocation of the revenues derived therefrom to the public school fund; prescribing a penalty for the evasion of such taxes; appropriating funds to effectuate the purposes herein." Referred to Committee on Revenue and Taxation.

House Bill No. 216, introduced by Tierney, Foley, Dwyer, Clark (Silver Bow), and Howard: A bill for an act entitled: "An act to amend Section 2815.63 Revised Codes of Montana, 1935, as amended by Section 1, Chapter 30, Laws of 1937, as amended by Chapter 243 Laws of 1947, relating to fixing the salaries of state liquor store vendors, and other employees of state liquor stores." Referred to Committee on Liquor Control.

House please take notice that the Speaker is about to sign Senate Bill No. 8 in Open Session.

House Bill No. 217, introduced by Blenkner: A bill for an act entitled: "An act to amend Section 10083, Revised Codes of Montana of 1935, providing for revocation of letters of administration and designating who may obtain such revocation, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 218, introduced by Blenkner: A bill for an act entitled: "An act to amend Section 10086, Revised Codes of Montana of 1935, providing for the prior rights of relatives to revoke prior letters of administration and granting discretion to court therein and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 219, introduced by Foley and Tierney: A bill for an act entitled: "An act to amend Section 2 of Chapter 126, Session Laws of the Twenty-Sixth Legislative Assembly, 1939, relating to acquisition, purchase, construction, reconstruction, etc., of public service by cities and towns, by

including airport construction and airport building and repealing all acts in conflict." Referred to Committee on Affairs of Cities.

House Bill No. 220, introduced by Nixon, Harpster and Michels: A bill for an act entitled: "An act to provide for a use tax on new motor vehicles on which no property tax has been paid and for which the purchaser thereof seeks to have licensed in the State of Montana; providing for the rate of such tax; providing for the collection thereof by the county treasurers of the respective counties in the State of Montana; providing for the proceeds of said tax to be deposited in the State Highway General Fund in the State Treasury; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 221, introduced by Page (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6 of Article V of the Constitution of the State of Montana, relating to the legislative department; providing that the Legislative Assembly shall meet each year for a period not to exceed forty-five days; providing for a limitation on the introduction of appropriation bills." Referred to Committee Constitutional Amendments.

House Bill No. 222, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 88, Laws of the Thirtieth Legislative Assembly, relating to the appointment of license agents for the State Fish and Game Commission, fixing their bond and compensation, providing for remittance of license fees and reports; providing that license agents may administer oaths to applicants for licenses, and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 223, introduced by Emmons, Smith, Trout and Beck: A bill for an act entitled: "An act to amend Sections 292 and 293.7 of the Revised Codes of Montana, 1935, relating to purchasing supplies by the State Purchasing Agent: Authorizing such purchases to be made by solicitation of bids by mail from prospective bidders listed with the State Purchasing Agent without advertising; providing for listing of prospective bidders; providing for advertising for bids exceeding an estimated cost of two thousand dollars (\$2000.00) or more, within discretion of State Purchasing Agent; providing for purchase in certain cases on open market with approval of the governor; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 224, introduced by Hess, Beck, and Holding: A bill for an act entitled: "An act to amend Section 1743.1 Revised Codes of Montana, 1935, relating to vehicles carrying explosives or passengers for hire to stop at railroad crossings." Referred to Committee on Judiciary.

House Bill No. 225, introduced by Clark (Musselshell), Culbertson, Jarussi, Barnard, Dusak, Williams, Emmons, Peterson, Burns, Holding, Hess, Nixon, Tripp and MacDonald: A bill for an act entitled: "An act amending Section 3449 of the Revised Codes of Montana, 1935, relating to the qualifications of State Coal-Mine Inspector; and amending Section 3450 of the Revised Codes of Montana, 1935, as amended by Chapter 113, Session Laws 1941 and Chapter 38, Session Laws 1941, relating to the powers and duties of the State Coal-Mine Inspector; and amending Section 3453 of the Revised Codes of Montana, 1935, as amended by Chapter 58, Session Laws 1945, relating to the posting of statements at mine entrances; and amending Section 3459 of the Revised Codes of Montana, 1935, relating to the appointment of the Board of Examiners; and amending Section 3460 of the Revised Codes of Montana, 1935, relating to examination of applicants—scope—certificates of competency—and revocation; and amending Section 3461 of the Revised Codes of Montana, 1935, relating to the method of making applications for examinations; and amending Section 3463 of the Revised



Codes of Montana, 1935, relating to meetings of Examining Board and method of grading; and amending Section 3467 of the Revised Codes of Montana, 1935, relating to the Board of Examiners for State Coal-Mine Inspector; and amending Section 3473 of the Revised Codes of Montana, 1935, relating to the qualifications of Mine Examiners; and amending Section 3474 of the Revised Codes of Montana, 1935, relating to the granting of certificates by the Examining Board; and amending Section 3476 of the Revised Codes of Montana, 1935, relating to applications and fees for examinations; and amending Section 3478 of the Revised Codes of Montana, 1935, relating to violations; and amending Section 3480 of the Revised Codes of Montana, 1935, relating to underground surveys; and amending Section 3484 of the Revised Codes of Montana, 1935, relating to mine surveys; and amending Section 3489 of the Revised Codes of Montana, 1935, relating to hoisting; and amending Section 3492 of the Revised Codes of Montana, 1935, relating to mine openings and escapeways; and amending Section 3496 of the Revised Codes of Montana, 1935, relating to surface buildings; and amending Section 3501 of the Revised Codes of Montana, 1935, as amended by Chapter 146 Session Laws 1937—by Chapter 145 Session Laws 1939—and by Chapter 38 Session Laws of 1945, relating to ventilation of mines; and amending Section 3509 of the Revised Codes of Montana, 1935, relating to mine timber and supplies; and amending Section 3510 of the Revised Codes of Montana, 1935, relating to mine transportation; and amending Section 3515 of the Revised Codes of Montana, 1935, relating to the duties of mine foreman; and amending Section 3516 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945 relating to duties of mine examiners; and amending Section 3521 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1935 relating to explosives and blasting; and amending Section 3538 of the Revised Codes of Montana, 1935, relating to reports to State Coal-Mine Inspector; and amending Section 3539 of the Revised Codes of Montana, 1935, relating to duty of State Coal-Mine Inspector; and amending Section 1 of Chapter 32 of the Session Laws of Montana, 1945, relating to electricity; and specifically repealing Section 3475 of the Revised Codes of Montana, 1935, relating to certificates issued to those holding certificates from other states; and repealing Section 3490 of the Revised Codes of Montana, 1935, relating to passageway around bottom of shafts; and repealing Section 3491 of the Revised Codes of Montana, 1935, relating to gates at the top of shafts; and repealing Section 3493 of the Revised Codes of Montana, 1935, relating to number of men that can be employed until escapement connection is completed; and repealing Section 3494 of the Revised Codes of Montana, 1935, relating to passageways to escapements; and repealing Section 3495 of the Revised Codes of Montana, 1935, relating to distance of escapement from main shaft; and repealing Section 3497 of the Revised Codes of Montana, 1935, relating to stairways or cages in escapement shafts; and repealing Section 3503 of the Revised Codes of Montana, 1935, relating to number of persons permitted to work in one air current; and repealing Section 3504 of the Revised Codes of Montana, 1945, as amended by Chapter 38 Session Laws 1945 relating to crosscuts and brattices for ventilation; and repealing Section 3505 of the Revised Codes of Montana, 1935, relating to operation of ventilating fans, furnaces, etc.; and repealing Chapter 30 Session Laws of 1945 relating to regulating and defining gaseous mines; and repealing Section 3522 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945 relating to manner of handling explosives; and repealing Section 3523 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945 relating to tamping tools; and repealing Section 3524 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws of 1945 relating to system of blasting; and repealing Section 3527 of the Revised Codes of Montana, 1935, as amended by Chapter 38 Session Laws 1945 relating to duties of motormen, trip riders, and drivers; and repealing Section 3526 of the Revised Codes of Montana, 1935, relating to persons permitted to ride on haulage trips; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Mines and Mining.



## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 72, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 82.

Noes: Taylor. Total 1.

Absent and not voting: Dwyer, Goodgame, Harken, Hunter, McKenna, Michels, and Nixon. Total 7.

House Bill No. 120, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 74.

Noes: Brenner, Corcoran, Esp, Oliver, Taber, Taylor. Total 6.

Absent and not voting: Domke, Duncan, Dwyer, Goodgame, Krieg, McKenna, Mernin, Michels, Standish and Wiedman. Total 10.

House Bill No. 51, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 82.

Noes: None.

Absent and not voting: Clark (Silver Bow), Duncan, Dwyer, Goodgame, Holtz, Hunter, McKenna, and Michels. Total 8.

It was moved by Loble that the House recess until 2:00 P. M. this date.  
House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bill Nos. 164, 102, 95, 97, 99, and 100.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 96 and 98.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Koch, Sales, Gebhardt, Standish, Taber and Gunderson: A bill for an act entitled: "An act to appropriate the sum of fifty thousand (\$50,000.00) dollars as a revolving fund for the use of the Commissioner of Agriculture for the purpose of making loans and grants in aid to promote and facilitate the construction of labor camps or barracks for transient farm laborers; providing said commissioner set up rules and regulations for securing such loans or grants in aid."

By Page (Missoula), Mulroney, Holding, Karlberg, Haytin and Hunter: A bill for an act entitled: "An act to amend Section 5109, Revised Codes of Montana, 1935, as amended by Chapter 4 of the Laws of the 25th Legislative Assembly 1937, as amended by Chapter 151 of the Laws of the 30th Legislative Assembly 1947 pertaining to the establishment and supervision of a fire department in all cities and towns, and provided when this act shall take effect."

By Page (Missoula), Mulroney, Holding, Karlberg, Haytin, and Hunter: A bill for an act entitled: "An act to amend Section 5095, Revised Codes of Montana, 1935, as amended by Chapter 152 of the Laws of the 30th Legislative Assembly, 1947, relating to establishment and supervision over the police department in all cities and towns, save and except where this act is in conflict with the commission form of government and provided when this act shall take effect."

By Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments, by changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3600.00) per annum to five thousand dollars (\$5,000.00) per annum and providing that the salary of the Chief Field Agent, Deputy Field Agents, clerks and all employees shall be fixed and determined by the board subject to the provisions of Chapter 30, Laws of 1943, by deleting the last three paragraphs of Section 1805.14 providing when this act shall take effect, and repealing all acts and parts of acts in conflict herewith."

By Hoiness: A bill for an act entitled: "An act to amend Section 5277.2, Revised Codes of Montana, 1935, relating to revolving fund of cities and towns for special improvements, providing for transfers from general fund to the revolving fund, providing for a tax levy for the revolving fund, repealing all acts and parts of acts in conflict herewith."

By Clark (Silver Bow), Ballard and Dwyer: A bill for an act entitled: "An act to amend Section 5216 of the Revised Codes of Montana, of 1935,

relating to the certification of all city and town taxes by the County Clerk and Recorder, and the collection of such taxes as provided for in this chapter by the County Treasurer; all acts in conflict are hereby repealed."

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 come out of committee without recommendation.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 as amended, be further amended as follows:

Line 5, Page 2, Section 2, the amended Section 2 be stricken and in lieu thereof that Section 2 read as follows: "Any participant in any such game, sport, or contest who shall violate any provision of this act shall be guilty of a misdemeanor. Any other person, corporation, association, or organization violating any of the provisions of this act shall be guilty of a felony and punishable by imprisonment not to exceed two years or by a fine not to exceed ten thousand dollars (\$10,000), or by both such imprisonment and fine. Any person, corporation, association, or organization violating any provision of this act shall be debarred for a period of not less than one year nor more than five years from participating in or sponsoring any game, sport, or contest to which admission is charged. And as amended do pass.

WESTLAKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be amended as follows:

By adding to the title of the bill, the following: "and making certain exceptions therefrom," and at the end of Section 1, Page 2, Line 10 of the original bill, add the following: "provided further, that the provisions of this act shall not apply to persons holding offices specifically provided for in Section 8816, Revised Codes of Montana, 1935." And that, as amended, the bill be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 156, recommend that House Bill No. 156 be amended as follows:

In Section 1, lines 5 and 6, page 2, strike out after the word "one" the words "or more persons are" and insert the words "person is". In Section 2, line 1, page 4, strike out after the word "one" the words "or more persons are" and insert the words "person is".

Respectfully report as follows: That House Bill No. 156 as amended do pass.

BECK, Chairman.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and

passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 18 by Valiton et al.

Senate Bill No. 29 by Winters, Valiton.

Senate Bill No. 40 by Fish and Game Committee.

Senate Bill No. 43 by Fish and Game Committee.

Senate Bill No. 44 by Fish and Game Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed as amended, title and history agreed to and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 24 by Ross et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

### SENATE BILLS

Senate Bill No. 24, introduced by Ross, Aronson and Tibbals: A bill for an act entitled: "An act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana of 1935, as amended by Sections 1 and 2, Chapter 121 of the Laws of the Twenty-Seventh Legislative Assembly of the State of Montana, and as further amended by Sections 1 and 2, Chapter 201 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to mileage for members of the Legislative Assembly, state officers, county officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage when using their own automobiles in the performance of official duties." Referred to Committee on Townships and Counties.

Senate Bill No. 18, introduced by Valiton, Aronson and Liggett: A bill for an act entitled: "An act relating to the sale of surplus line insurance and to surplus line agents; issuance of licenses and the fees and bonds therefor; affidavit as prerequisite to procurement of insurance; filing of power of attorney; record of business and filing of annual statement; validity of surplus line insurance; liability to suit of companies issuing insurance; venue; penalties; hearing procedure and judicial review; repeal of acts or parts of acts in conflict herewith; effective date of the act." Referred to Committee on Insurance.

Senate Bill No. 29, introduced by Winters and Valiton: A bill for an act entitled: "An act to amend Section 2295.14, Revised Codes of Montana, 1935, relating to state income tax returns." Referred to Committee on Revenue and Taxation.



Senate Bill No. 40, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3698, of the Revised Codes of Montana, 1935, as amended by Section 7 of Chapter 224, Laws of 1947, relating to the destroying evidence of sex of deer; to provide a penalty for destroying evidence of sex of any big game animal, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

Senate Bill No. 43, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to repeal Section 3696.1, of the Revised Codes of Montana, 1935, relating to the open season for Elk in Teton county and authority of game warden to shorten." Referred to Committee on Fish and Game.

Senate Bill No. 44, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game by adding a new section to be known as Section 3722 (b) authorizing the Fish and Game Commission to manage beaver on public lands." Referred to Committee on Fish and Game.

### HOUSE BILLS

House Bill No. 226, introduced by Anderson (Hill), Williams, Clark (Musselshell), Beck and Ewing: A bill for an act entitled: "An act to establish a system of state examination for master and journeymen plumbers; fixing the fees to be charged for state licenses, and the disposition of the fund thus created, and providing penalties for the violation of the provisions of this act; repealing the following sections of the Revised Codes of Montana, 1935, to-wit: Sections 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192 and 5193, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 227, introduced by Hoiness: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana, an amendment to Article VIII Section 24 of the Constitution of the State of Montana relating to the establishment and abolition of inferior courts within the State of Montana and to provide for their jurisdiction. Referred to Committee on Constitutional Amendments.

House Bill No. 228, introduced by Koch: A bill for an act entitled: "An act to amend Section 10375 of the Revised Codes of Montana, 1935, as amended by Chapter 130 of the Twenty-Eighth Session of the Legislative Assembly of Montana, relating to termination of life estate or joint tenancy and determination of inheritance tax." Referred to Committee on Judiciary.

House Bill No. 229, introduced by McElwain: A bill for an act entitled: "An act providing for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6 of Article V of the Constitution of the State of Montana, relating to sessions of the Legislative Assembly and providing for split legislative sessions, time of such sessions, and providing when bills may be introduced." Referred to Committee on Constitutional Amendments.

House Bill No. 230, introduced by McCarthy, Emmons, Ballard, Scofield and Wiedman: A bill for an act entitled: "An act to amend Section 3694, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 159, Session Laws, 1941, and by Section 5, Chapter 224, Session Laws 1947; relating to fish and game." Referred to Committee on Fish and Game.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history



and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Bill No. 9 was concurred in by the following vote: Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 72.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Phillips), Aronow, Cotton, Cunningham, Duppler, Ewing, Hall, Hoiness, Krieg, Laas, McKenna, Peterson, Pierce, Robertson, Skibby, Williams and Wilson (Judith Basin). Total 18.

Senate Bill No. 17 was concurred in by the following vote: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 71.

Noes: Frerich. Total 1.

Absent and not voting: Anderson (Phillips), Aronow, Cotton, Cunningham, Duncan, Duppler, Ewing, Hall, Hoiness, Laas, McKenna, Martin, Peterson, Robertson, Skibby, Westlake, Williams and Wilson (Judith Basin) Total 18.

Senate Bill No. 10 was concurred in by the following vote: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 73.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Cotton, Cunningham, Duppler, Ewing, Goodgame, Hall, Hoiness, Laas, McKenna, Nixon, Peterson, Robertson, Skibby, Williams, and Wilson (Judith Basin). Total 17.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 164, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hunter, Jarussi, Karlberg, Koch, Krieg, Loble, Loughran, McElwain, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), and Mr. Speaker.

Ayes: Total 60.

Noes: Brenner, Emmons, Esp, Howard, McCarthy, Mernin, Scofield, Smith, Taylor, Tierney, Wiedman and Working. Total 12.

Absent and not voting: Anderson (Phillips), Aronow, Cotton, Duppler, Ewing, Hall, Hoiness, Holtz, Jensen, Laas, MacDonald, McKenna, Martin, Peterson, Robertson, Skibby, Williams and Wilson (Judith Basin). Total 18.

House Bill No. 95, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), and Mr. Speaker.

Ayes: Total 71.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Cotton, Cunningham, Duncan, Duppler, Ewing, Hall, Hoiness, Laas, McKenna, Nixon, Peterson, Robertson, Skibby, Westlake, Williams, Wilson (Judith Basin) and Working. Total 19.

House Bill No. 96, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Van Dyke, Wiedman, Wilson (Treasure), and Mr. Speaker.

Ayes: Total 61.

Noes: Anderson (Hill), Burns, Clark (Musselshell), Goodgame, Gunderson, Holding, Hess, Jensen, and Trout. Total 9.

Absent and not voting: Anderson (Phillips), Aronow, Cotton, Cunningham, Duncan, Duppler, Ewing, Hoiness, Krieg, Laas, McKenna, Nixon, Oliver, Peterson, Robertson, Skibby, Westlake, Williams, Wilson (Judith Basin), and Working. Total 20.

House Bill No. 97, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Dokken, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Missoula), Peters, Pierce, Rostad, Sales, Scofield, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure) and Mr. Speaker.

Ayes: Total 62.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Clark (Silver Bow), Cunningham, Domke, Duncan, Duppler, Dusak, Ewing, Harlow, Hoiness, Krieg, Laas, McElwain, McKenna, Martin, Nixon, Page (Granite), Peterson, Phillips, Robertson, Skibby, Taber, Taylor, Westlake, Williams, Wilson (Judith Basin) and Working. Total 28.

House Bill No. 98, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, Mernin, Michels, Mulroney, Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams and Mr. Speaker.

Ayes: Total 66.

Noes: None.

Absent and not voting: Aronow, Cotton, Cunningham, Domke, Duncan, Dusak, Ewing, Hoiness, Krieg, McElwain, McKenna, Martin, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Phillips, Taber, Taylor, Westlake, Wilson (Treasure), Wilson (Judith Basin), and Working. Total 24.

House Bill No. 99, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 70.

Noes: None.

Absent and not voting: Aronow, Blenkner, Cotton, Cunningham, Dom-

ke, Duncan, Ewing, Krieg, MacDonald, McKenna, Martin, Nixon, O'Neil, Page (Granite), Peterson, Phillips, Taber, Taylor, Westlake and Working. Total 20.

House Bill No. 100, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total, 68.

Noes: None.

Absent and not voting: Barnard, Blenkner, Cotton, Cunningham, Duncan, Dusak, Ewing, Hunter, Karlberg, Krieg, MacDonald, McKenna, Martin, Nixon, O'Neil, Page (Granite), Peterson, Phillips, Taber, Taylor, Westlake, and Working. Total, 22.

House Bill No. 102, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), and Mr. Speaker.

Ayes: Total, 68.

Noes: Goodgame and Wilson (Judith Basin). Total, 2.

Absent and not voting: Cotton, Cunningham, Duncan, Dusak, Ewing, Hunter, Jarussi, Karlberg, Krieg, McKenna, Martin, Nixon, O'Neil, Page (Granite), Peterson, Phillips, Taber, Taylor, Westlake and Working. Total, 20.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 150, 130 and 107 have been returned correctly printed.

O'NEIL, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Holtz, Dusak, Gunderson and Bricker: A bill for an act entitled: "An act to amend Section 2 of Chapter 182, Session Laws, 1943; relating to the Montana School for the Deaf and Blind by providing for establishment of separate classes for children with visional and/or aural defects; providing for furnishing certain texts; authorizing the purchase of such texts by the State Board of Education; providing for distribution thereof, providing the duties of Superintendent of the Montana School for Deaf and



Blind, and the State Board of Education; appropriating \$5,000.00 for the purchase of special texts, repealing all acts in conflict."

By Jarussi and Harlow: A bill for an act entitled: "An act regulating the issuance of certificates for teaching in the public schools of Montana; defining certain terms used in this act; enumerating the classes and kinds of said certificates, the recording, duration and renewal thereof, and prescribing the fees for the issuance, renewal or extension thereof; regulating the disposal of such fees and repealing the following sections of the Revised Codes of Montana of 1936, Sections 944, 959, 1089, 1090, 1092, 1095, 1098, 1101, and 1102, all as amended by Chapter 186 of the Session Laws of Montana of 1943 and repealing all other acts and parts of acts in conflict herewith."

By Gunderson, Trout, Dusak, Holtz, Burns, Hess, Tripp, Mernin and Holding: A bill for an act entitled: "An act to provide for the installation of windshields and tops on track motor vehicles operated by any railroad running through or within the state; providing a penalty and repealing all acts in conflict."

By Gunderson, Trout, Jensen, Dusak, Holtz, Burns, Hess, Tripp, Mernin and Holding: A bill for an act entitled: "An act requiring persons, firms or corporations operating or controlling any railroad running through or within the state to equip its track motor cars with electric headlights and red rear electric lights of certain construction and visibility, and to have the same in use during certain hours; making it unlawful to use such track motors without such rear and head lights during certain hours, providing a penalty, and repealing all acts in conflict."

It was moved by Loble that the House adjourn until 11:00 A.M. February 2, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-FIRST LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 2, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Koch, Krieg, O'Neil, Taber and Taylor, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Thirtieth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 101 and 82.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: House Bill No. 104.

VAN DYKE, Chairman.



## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Holding, Karlberg, Peterson, Gunderson, Wilson (Judith Basin), and Haytin: A bill for an act entitled: "An act providing for the appointment of county planning commissions, prescribing the powers, duties, and financing thereof; providing for zoning, land use regulations and subdivision controls and defining the limits thereof; providing for building permits; providing penalties; and repealing all acts and parts of acts in conflict herewith."

By Loble: A bill for an act entitled: "An act to amend Sections 3, 8, 9, and 10 of Chapter 142, Session Laws of 1945, relating to licensing of slot machines; defining the terms 'religious organizations', 'fraternal organizations', 'charitable organizations', and 'social clubs'; providing only bona fide members permitted to use slot machines; providing for suspension and revocation of licenses and hearing thereon and appeal from decision of board; providing for effective date of this act, and repealing all acts and parts of acts in conflict herewith."

By Ballard, Loughran, Clark (Silver Bow), Dwyer, Foley, Tierney, McCarthy and Mernin: A bill for an act entitled: "An act providing for payment by counties of an indebtedness incurred by a county in good faith prior to August 1, 1948, the payment of which has not been made."

By Hunter: A bill for an act entitled: "An act to amend Sections 2815.152 and 2815.155 Revised Codes of Montana 1935 providing for reports to State Examiner and the contents thereof; and when said reports shall be made; providing when balance sheets and profit and loss statements shall be made to State Examiner."

By Hunter: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana 1935 as amended by Section 9 of Chapter 14 Session Laws of 1941 relative to the disposition of the revenue received under the Montana Beer Act; providing for payment to State Treasurer for deposit in State General Fund; repealing the Montana Beer Act Fund; providing for auditing of books; providing that all accounting and reports to be prepared under Montana Beer Act shall be prepared for state fiscal year."

By Barnard: A bill for an act entitled: "An act to amend Sections 3, 6, 12, 14 and 15 of Chapter 208 Session Laws of 1939, and Sections 7, 8, 9 and 20 of Chapter 208, Session Laws of 1939, as amended by Chapter 199, Session Laws of 1945, relating respectively to creation of Montana Grass Conservation Commission, powers, duties and compensation of members of commission, powers of state districts, method of voting in districts, adoption of by-laws by districts, appeals to commission, manner of creating state districts and manner of distributing grazing permits; repealing all acts in conflict."

By Clark (Musselshell), Burns, Laas, Culbertson, Cunningham and Jarussi: A bill for an act entitled: "An act to amend Section 2949 of the Revised Codes of Montana, 1935, relating to the time for filing and the final findings and awards of the industrial accident board and providing a limitation on the settings for hearings upon request of either party, allowing for advances on such times by stipulation between the parties, and providing a time limit for the making of awards and findings by the board."

By Clark (Musselshell), Burns, Laas, Culbertson and Jarussi: A bill for an act entitled: "An act to amend Sections 2819, 2820, 2823, of the Revised Codes of Montana, 1935, relating to the creation of an elective Industrial Accident Board, terms and salary of members thereof; providing

that the State Treasurer be treasurer of the board; providing for any vacancies; forbidding members receiving other offices or employment during terms."

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 142, 196, 163, 139, 158 and 45 have been returned correctly printed.

BECK, Vice Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 be referred to Committee on Appropriations.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 do pass.

HARKEN, Chairman.

Substitute motion by Mulroney that the report of the Committee be not accepted. Motion lost on standing vote.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do not pass.

HARKEN, Chairman.

Substitute motion by Harken that the bill be re-referred to the Committee on Appropriations. Motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do not pass.

HARKEN, Chairman

Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do not pass.

HARKEN, Chairman

Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 162, respectfully report as follows:

That House Bill No. 162 be amended as follows: by striking out in lines 27 to 32, inclusive, Section 1, the following words: "five (5) cents to twelve and one-half (12½) cents each, and two (2) cents upon each cigar retailing at a price in excess of twelve and one-half (12½) cents; provided, however, that no tax is hereby imposed upon any cigar to be sold at retail for less than five (5) cents each."

and inserting in lieu thereof the words:

"more than five (5) cents up to and including twelve and one-half (12½) cents each, and two (2) cents upon each cigar retailing at a price in excess of twelve and one-half (12½) cents each; provided, however, that no tax is hereby imposed upon any cigar to be sold at retail for five (5) cents each or less."

and as so amended, recommend that House Bill No. 162 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do not pass.

KARLBERG, Chairman.

Substitute motion by Holtz that House Bill No. 146 be printed and placed on General Orders. Motion carried.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 be amended in Section 1, Page 3, Line 14, by inserting after the word "equipment" and before the word "made" the following: "from government agencies".

And as amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do pass.

KARLBERG, Chairman.

Report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Resolution No. 4, introduced by Loble, Cunningham and Nixon; A House Joint Resolution entitled: "A resolution memorializing the Congress of the United States for the passage of legislation providing for the liquidation of the trusts under the transfer agreements with state rural rehabilitation corporations, similar to H. R. 5905, introduced by Representative Cooley in the second session of the 80th Congress of the United

States, so as to enable the State of Montana to have returned to it monies and properties transferred in trust on or about April 30, 1937." Referred to Committee on Federal Relations.

House Bill No. 231, introduced by the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses to be incurred by the Bureau of Vocational Rehabilitation for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 232, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for salaries and expenses for state parks for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 233, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to pay the salaries of district judges for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 234, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for the Montana Highway Patrol for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 235, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for capitol building repairs and replacements for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to the Committee on Appropriations.

House Bill No. 236, introduced by McElwain: A bill for an act entitled: "An act to amend Section 10171 of the Revised Codes of Montana, 1935, providing for the time within which claims may be presented against estates." Referred to Committee on Judiciary.

House Bill No. 237, introduced by McElwain: A bill for an act entitled: "An act providing for the sale or lease of tax title, city or town lots, or buildings by the Board of County Commissioners; providing for appraisal, sale or lease, notice of sale and terms; and providing for taxation after sale." Referred to Committee on Judiciary.

House Bill No. 238, introduced by Phillips and Dwyer: A bill for an act entitled: "An act to amend Section 21 of Chapter 227, Session Laws of Montana, 1943, as amended by Chapter 116 Session Laws of Montana, 1947, relating to salaries of Chief Probation Officers and Deputy Probation Officers in increasing such salaries, and repealing all acts in conflict." Referred to Committee on Townships and Counties.

House Bill No. 239, introduced by Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 3599 of the Revised Codes of Montana of 1935, as last amended by Section 8, of Chapter 88, of the Laws of Montana of 1939, relating to the testing of seed samples by the Montana grain inspection laboratory, and the fees to be charged therefor, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture.



House Bill No. 240, introduced by Koch: A bill for an act entitled: "An act to amend Section 10,030, Revised Codes of Montana, 1935, relating to proof of wills when there is no contest." Referred to Committee on Judiciary.

House Bill No. 241, introduced by Domke, Graybill, Bricker, Sales, Dokken, Westlake, Gunderson, Dusak and Holtz: A bill for an act entitled: "An act authorizing and requesting the State Board of Examiners to hear, audit and determine the claim of Margaret W. Peterson, widow of James I. Peterson, alleged to have died as a result of a gun shot wound inflicted by one John Martin, a duly employed fireman at the steam plant on the campus of the Montana State College, Bozeman, Montana, on the 5th day of April, 1948, while the said James I. Peterson, a regularly enrolled and matriculated student at said Montana State College, was engaged in and taking part as an initiate in initiation ceremonies of a well established and recognized student society or fraternity on the campus of said Montana State College; and appropriating the sum of seven thousand five hundred dollars (\$7,500.00)." Referred to Committee on Appropriations.

House Bill No. 242, introduced by Holtz, Dusak, Gunderson and Bricker: A bill for an act entitled: "An act to amend Section 2 of Chapter 182, Session Laws, 1943; relating to the Montana School for the Deaf and Blind by providing for establishment of separate classes for children with visional and/or aural defects; providing for furnishing certain special texts; authorizing the purchase of such texts by the State Board of Education; providing for distribution thereof, providing the duties of Superintendent of the Montana School for Deaf and Blind, and the State Board of Education; appropriating \$5,000.00 for the purchase of special texts, repealing all acts in conflict." Referred to Committee on Appropriations.

House Bill No. 243, introduced by Loble, Cunningham and Nixon: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to make application to the Secretary of Agriculture of the United States to return to the State of Montana, all properties and monies transferred to the United States by the Montana Rural Rehabilitation Corporation, by that certain agreement made and entered into April 30, 1937 by and between Henry A. Wallace, as United States Secretary of Agriculture and W. J. Butler, as President of the Montana Rural Rehabilitation Corporation; designating the State Treasurer of the State of Montana as the officer to whom the transfer of the trust funds or other properties of the Montana Rural Rehabilitation Corporation shall be made; providing that the United States and the Secretary of Agriculture of the United States are to be relieved of and are freed from any and all liabilities of any kind or nature by virtue of any transfer of monies or properties to the Treasurer of the State of Montana; appropriating the sum of \$2,500.00 or so much thereof as may be necessary, out of monies in the General Fund of the state treasury not otherwise appropriated, for use by the Governor in carrying out the provisions of this act; providing that all monies received by the State Treasurer under the provisions of this act be deposited by him in the Common School Fund of the State of Montana; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of the act." Referred to Committee on Appropriations.

House Bill No. 244, introduced by Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments, by changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3,600.00) per annum to five thousand dollars (\$5,000.00) per annum and providing that the salary of the chief field agent, deputy field agents, clerks and all employees shall be fixed and determined by the board subject to the provisions of Chapter 30, Laws of 1943, by deleting the last three paragraphs of Section 1805.14, providing when this act shall take



effect, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Lands.

House Bill No. 245, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 5 of Chapter 37, Laws of the 29th Legislative Assembly of the State of Montana, 1945, relating to monies in the "Montana Highway Patrolmen's Retirement Fund" by providing that the "Montana Highway Patrolmen's Retirement Board" may invest the said monies in bonds of the United States or in bonds of the State of Montana or bonds of any county, municipality or school district of the State of Montana." Referred to Committee on Highways and Highway Transportation.

House Bill No. 246, introduced by Page (Missoula), Mulroney, Holding, Karlberg, Haytin and Hunter: A bill for an act entitled: "An act to amend Section 5095, Revised Codes of Montana, 1935, as amended by Chapter 152 of the Laws of the 30th Legislative Assembly, 1947, relating to establishment and supervision over the police department in all cities and towns, save and except where this act is in conflict with the commission form of government and provided when this act shall take effect." Referred to Committee on Affairs of Cities.

House Bill No. 247, introduced by Page (Missoula), Mulroney, Holding, Karlberg, Haytin and Hunter: A bill for an act entitled: "An act to amend Section 5109, Revised Codes of Montana, 1935, as amended by Chapter 4 of the Laws of the 25th Legislative Assembly 1937, as amended by Chapter 151 of the Laws of the 30th Legislative Assembly 1947 pertaining to the establishment and supervision of a fire department in all cities and towns, and provided when this act shall take effect." Referred to Committee on Affairs of Cities.

House Bill No. 248, introduced by Jarussi, Harlow and Trout: A bill for an act entitled: "An act regulating the issuance of certificates for teaching in the public schools of Montana; defining certain terms used in this act; enumerating the classes and kinds of said certificates, the recording, duration and renewal thereof, and prescribing the fees for the issuance, renewal or extension thereof; regulating the disposal of such fees and repealing the following sections of the Revised Codes of Montana of 1935, Sections 944, 959, 1089, 1090, 1092, 1095, 1098, 1101, and 1102, all as amended by Chapter 186 of the Session Laws of Montana of 1943 and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 249, introduced by Hoiness: A bill for an act entitled: "An act to amend Section 5277.2, Revised Codes of Montana, 1935, relating to revolving fund of cities and towns for special improvements, providing for transfers from General Fund to the revolving fund, providing for a tax levy for the revolving fund, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 250, introduced by Clark (Silver Bow), Ballard and Dwyer: A bill for an act entitled: "An act to amend Section 5216 of the Revised Codes of Montana of 1935, relating to the certification of all city and town taxes by the County Clerk and Recorder, and the collection of such taxes as provided for in this chapter by the County Treasurer." Referred to Committee on Affairs of Cities.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 200 and 197 have been returned correctly printed.

BECK, Vice Chairman.

Moved by Loble, that the House recess until 2:00 P. M. this day.

House resumed.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Trout, Esp, Scofield, Andersen (Richland), Jensen, Page (Granite), MacDonald, McKenna, Aronow, McElwain, Haytin, Ganson, Martin, Hunter, Harlow, Cotton, Laas, Culbertson, Cunningham, Jarussi, Beck, Clark (Musselshell), Howard, Ewing, Hall, Anderson (Hill), Holtz, Nixon, Harken, Tripp, Anderson (Phillips), Ballard, Van Dyke, Loble and Robertson: A bill for an act entitled: "An act providing for the payment by the counties and the State of Montana of bounty for the destruction of magpies and taking of magpie eggs and prescribing a method of proof as to where they were killed or taken and the manner of collecting the bounty and prescribing penalties for violation of the act."

By McCarthy: A bill for an act entitled: "An act to amend Section 11159, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 153, Session Laws, 1937, relating to gambling games, by declaring a violation thereof to be a felony; providing a penalty and repealing all acts in conflict."

By Loble and McElwain: A bill for an act entitled: "An act to amend Sections two (2), Five (5), and Seven (7), of Chapter 171 of the Laws of 1941 providing for and authorizing the sale and lease of unredeemed tax title lands by county commissioners; and permitting counties to reserve oil and gas rights when selling or leasing such unredeemed tax lands; and providing the terms of sale or lease and the procedures thereof; and validating sales and leases heretofore made of such lands."

By Duppler and Standish: A bill for an act entitled: "An act to regulate the use of rifles, pistols or revolvers, shotguns, and bows and arrows, in the pursuit, wounding or killing of game birds and big game animals; restricting the uses of automatic and semi-automatic rifles; the limitations on the cartridges to be used therein; providing the penalty for violation of this act; and repealing all acts and parts of acts in conflict herewith."

By Peterson: A bill for an act entitled: "An act to amend Section 7 of Chapter 182, Session Laws, 1943, relating to the Montana School for the Deaf and Blind by providing that Indian children who are bona fide residents of the State of Montana shall be eligible to and shall be admitted to such school on the same terms as other resident children, and repealing all acts in conflict."

By Peterson: A bill for an act entitled: "An act to amend Section 12537, Revised Codes of Montana, 1935, as amended by Chapter 214, Session Laws, 1947, relating to payment of expenses of maintaining girls committed to the State Vocational School for Girls, by providing for admission and maintenance of Indian girls who are residents of the State of Montana, on the same basis as non-Indian girls, and repealing all acts in conflict."

By Bredtner: A bill for an act entitled: "An act to amend Section 4465.21, Revised Codes of Montana of 1935, providing for an annual inventory of county property and written agreements on loaning or leasing of county property."

By Mernin, Goodgame, Wilson (Judith Basin), Burns, Smith and Emmons: A bill for an act entitled: "An act creating the Old Age Assistance Commission; providing for an Old Age Assistance Board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an Old Age Assistance Fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; mak-

ing applicable existing provisions of Chapter 82, Laws of the Twenty-Fifth Legislative Assembly and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens of the State of Montana, and repealing all acts and parts of acts in conflict herewith."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the Governor's office for requisitions for the remainder of the current fiscal year ending June 30, 1949, it being determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient."

By Holding, Karlberg, Mulroney and Page (Missoula): A bill for an act entitled: "An act to amend Section 5397, Revised Codes of Montana, 1935, relating to commission form of government; providing that petition signed by five per cent (5%) of the qualified electors may demand an election to abandon such form of government."

By Ballard, Loughran and Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 298 of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to a license tax on trade stimulators including punch boards, pull cards, and similar devices, fixing the amount of such tax, prescribing the method of administration by the State Board of Equalization, defining the terms used herein, the disposition of revenue from said licenses, providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain obligations incurred by the Supreme Court, the State Forester and the Library Extension Commission under the provisions of the Public Employees Retirement System for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient."

By Committee on Appropriations, Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the payment of fire insurance premiums for the current biennium ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 4487, Revised Codes of Montana, 1935, relating to authorizing the Board of County Commissioners in each county to appropriate money out of the General Fund of the County Treasury and to authorize said board of county commissioners to make a special levy for the purpose of carrying on work in agriculture and home economics in co-operation with the Montana State College and the United States Department of Agriculture."

By Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 4542, Revised Codes of Montana, 1935, relating to county farm bureaus; providing such bureaus may be organized to work in co-operation with various interested county groups and agencies."

By Aronow and McKenna: A bill for an act entitled: "An act to amend Section 7088 of the Revised Codes of Montana, 1935, as amended by Chapter 44 of the Session Laws of Montana of 1947, relating to succession to property by aliens and regulating the manner and conditions of such succession and providing for the institution of proceedings to determine the right of succession by non-resident aliens to succeed to property within this state and repealing all other acts and parts of acts in conflict herewith."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169, be amended as follows:

On line 24 omit the semi-colon and insert the following language: "may deem necessary to preserve the morals and secure the good conduct of school children, and to enforce the provisions of this chapter. The truant officer shall keep a record of his transactions for the inspection and information of the superintendent of the schools and the board of trustees;"

and as amended we recommend that House Bill No. 169 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass and be re-referred to the Committee on Appropriations.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

JARUSSI, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 41 by Fish and Game Committee.

Senate Bill No. 47 by Worden and Busch.



Senate Bill No. 45 by Fish and Game Committee.

Senate Joint Memorial No. 1 by Mines and Mining Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 42 by Fish and Game Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 6 by McKenna.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committee on Taxation, reports adopted, and the same are herewith returned to the House:

House Bill No. 70 by Revenue and Taxation.

House Bill No. 69 by Revenue and Taxation.

House Bill No. 68 by Revenue and Taxation.

House Bill No. 67 by Revenue and Taxation.

House Bill No. 50 by Page of Granite.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the



following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Bill No. 49 by Laas and Smith.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble, that further Communications from the Senate be considered read at length and the Journal so show.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

### SENATE

Senate Bill No. 42, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3717, of the Revised Codes of Montana, 1935, relating to the use of explosives or poisons in taking fish; providing penalty, and to exempt persons authorized by the Fish and Game Commission to control fish populations from the provisions of this act." Referred to Committee on Fish and Game.

Senate Bill No. 41, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Chapter 308, of the Revised Codes of Montana, 1935, relating to the protection of fish and game, by adding a subsection to be known as Section 3694.3, relating to the authority of the Fish and Game Commission to prohibit the use of small fish, dead or alive, in certain streams or lakes in the State of Montana; and making it unlawful for any person or persons to transplant or introduce any species of fish, game birds or game animals without authorization from the Fish and Game Commission; and providing penalties for violation of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

Senate Bill No. 47, introduced by Worden and Busch: A bill for an act entitled: "An act to amend Section 11346, Revised Codes of Montana, 1935, defining the crime of burglary, and to amend Section 11349, Revised Codes of Montana, 1935, defining the word "enter." Referred to Committee on Judiciary.

Senate Bill No. 45, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3695, of the Revised Codes of Montana, 1935, relating to private artificial lake or pond, stocking, license, bond, reports, and restrictions on catching fish; providing the penalty for violation of the act; and repealing acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

Senate Joint Memorial No. 1, introduced by Committee on Mines and Mining: A Senate Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States of America and to the Honorable James E. Murray and Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and Wesley A. D'Ewart, Representatives in Congress from Montana, requesting consideration of the gold mining industry and the enactment of suitable legislation by the Congress to insure a substantial increase in the price of gold." Referred to Committee on Federal Relations.

## HOUSE

House Bill No. 251, introduced by McElwain and Koch: A bill for an act entitled: "An act preventing the selling or giving away of intoxicating liquor to persons under twenty-one (21) years of age; providing penalties therefore; and repealing Section 11048.1 as amended by Chapter 124 of the Laws of the Thirty-Sixth Legislative Assembly of the State of Montana, 1941, and all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 101 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Holtz, Howard, Jarussi, Karlberg, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 65.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Corcoran, Cotton, Cunningham, Duppler, Harpster, Hoiness, Hunter, Jensen, Koch, Krieg, Laas, McKenna, Martin, Michels, O'Neil, Peterson, Skibby, Standish, Taber, Taylor, Tierney, Williams and Wilson (Judith Basin). Total, 25.

House Bill No. 82 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 69.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Corcoran, Cotton, Cunningham, Duppler, Harpster, Hoiness, Koch, Krieg, Laas, McKenna, Michels, O'Neil, Peterson, Skibby, Standish, Taber, Taylor, Tierney, Williams and Wilson (Judith Basin). Total 21.

House Bill No. 104 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt,

Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 71.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Corcoran, Cotton, Cunningham, Duppler, Holding, Hoiness, Koch, Krieg, Laas, McKenna, Michels, O'Neil, Peterson, Skibby, Standish, Taber, Taylor, Tierney, Williams and Wilson (Judith Basin). Total 19.

### MOTIONS AND RESOLUTIONS

Moved by Loble, that consideration of House Bill No. 155 on General Orders be passed for the day. Carried.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Wiedman to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 71 do pass.

That House Bill No. 41 do pass.

That House Bill No. 107 do pass.

That House Bill No. 130 do pass.

That House Bill No. 150 do pass.

That Senate Amendments to House Bill No. 13 be concurred in.

That Senate Amendments to House Bill No. 16 be concurred in.

That Senate Amendments to House Joint Memorial No. 2 be concurred in.

WIEDMAN, Chairman.

Report adopted.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the following be employed:

#### STENOGRAPHER

Dorothy Chrest

HESS, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 105, 186, 184, 185, 188, 154, 147 and 159 have been returned correctly printed.

BECK, Vice Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Bricker: A bill for an act entitled: "An act to amend Section 4630.7 of the Revised Codes of Montana, 1935, relating to the petition and election required for county bonds issued for various purposes; providing the method of election to be followed in issuing bonds for the purpose of erecting a building or buildings as provided by law; and repealing all acts and parts of acts in conflict herewith."

By Esp and Scofield: A bill for an act entitled: "An act to amend Section 3847.1 Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of the Twenty-Eighth Legislative Assembly of the State of Montana and as further amended by Chapter 262, Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to the definition of terms used in the act regulating motor carriers, and providing that the act shall apply to the transportation of live stock for hire and to add a section to Chapter 310, Political Code of Montana, 1935, to be designated Section 3847.30, providing for the granting of authority to persons engaged in the transportation of live stock "for hire" on the date of passage of this act."

By Esp and Scofield: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana of 1943, as amended by Chapter 176 of the Laws of the Twenty-Ninth Legislative Assembly of the State of Montana of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to the inspection of livestock before removal from any county in the state, and repealing all acts in conflict therewith."

By Bricker and Westlake: A bill for an act entitled: "An act to amend Sections 1, 2, 3, 4, 5, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Chapter 284 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, entitled: "An act to set the standards of the practices of civil engineering and land surveying and to safeguard life, health, property and promote the public welfare; providing for the registration of qualified persons as civil engineers and land surveyors, and providing for the certification of engineers-in-training; defining the terms 'civil engineer', 'engineer-in-training', 'practice of civil engineering', 'land surveyor' and 'practice of land surveying'; creating a State Board of Registration for civil engineers and land surveyors and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements; and providing for the enforcement of this act and penalties for its violation," by setting up standards for the practice of professional engineering and land surveying, providing for the registration of qualified persons as professional engineers and land surveyors; defining the term professional engineer; creating a board of registration for professional engineers and land surveyors, and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements and providing for the enforcement of this act and penalties for its violation."

Moved by Loble that the House adjourn until 10:00 A. M. Thursday, February 3, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## THIRTY SECOND LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 3, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Corcoran, Duncan, Koch, McKenna, Michels, Taber and Tierney excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Thirty First Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 153, 39, 157, and 160 have been returned correctly printed.

O'NEIL, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tierney, Foley and Smith: A bill for an act entitled: "An act to repeal Section 2815.109 of the Revised Codes of Montana, 1935, relating to cashing of pay checks at liquor dispensaries."

By Jensen, Harlow, Ganson, Hawks, Barnard, Hess, Smith, Andersen (Richland), Page (Granite), Williams, Beck, Harpster, McElwain and Foley: A bill for an act entitled: "An act to amend Section 950.1 of the Revised Codes of Montana, 1935, and an act to amend Section 1 of Chapter 150 of the Laws of 1945, relating to the qualifications for county superintendent of schools relating to the salaries of county superintendent of schools, and repealing all acts and parts of acts in conflict herewith."

By Hoiness, Peters and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 4929 of the Revised Codes of 1935 relating to the salaries and office hours of the justice of the peace."

By Trout, Jensen, Howard, Tripp, Burns, Cotton, Hess, Ewing, Van Dyke and Harpster: A bill for an act entitled: "An act requiring shelter for railroad employees; providing that violation of this act shall be a misdemeanor and providing a penalty for such violation."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do pass.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do pass.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under



consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

HARKEN, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 155 be taken from General Orders and be re-referred to the Committee on Dairying. Carried.

Moved by Loble that consideration of House Bills No. 105 and 188 be passed for the day. Carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having having been read at length:

House Bill No. 252, introduced by Peterson: A bill for an act entitled: "An act to amend Section 12537, Revised Codes of Montana, 1935, as amended by Chapter 214, Session Laws, 1947, relating to payment of expenses of maintaining girls committed to the State Vocational School for Girls, by providing for admission and maintenance of Indian girls who are residents of the State of Montana, on the same basis as non-Indian girls, and repealing all acts in conflict." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 253, introduced by Peterson: A bill for an act entitled: "An act to amend Section 7 of Chapter 182, Session Laws, 1943, relating to the Montana School for the Deaf and Blind by providing that Indian children who are bona fide residents of the State of Montana shall be eligible to and shall be admitted to such school on the same terms as other resident children, and repealing all acts in conflict." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 254, introduced by Ballard, Loughran and Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 298 of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to a license tax on trade stimulators including punch boards, pull cards, and similar devices, fixing the amount of such tax, prescribing the method of administration by the State Board of Equalization, defining the terms used herein, the disposition of revenue from said licenses, providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 255, introduced by Brenner: A bill for an act entitled: "An act to amend Section 4465.21, Revised Codes of Montana of 1935, providing for an annual inventory of county property and written agreements on loaning or leasing of county property." Referred to Committee on Townships and Counties.

House Bill No. 256, introduced by Mernin, Goodgame, Wilson (Judith Basin), Burns, Smith and Emmons: A bill for an act entitled: "An act creating the old age assistance commission; providing for an old age assistance board; providing membership of said board, appointment, term, compensation and duties thereof; providing for the creation of an old age assistance fund; providing what money to be deposited in said fund; prohibiting transfer from such fund and providing use of said fund; providing for the amount of assistance to be paid; providing method of determining net income of applicant; making applicable existing provisions of Chapter 82, Laws of the Twenty-Fifth Legislative Assembly and all amendments thereof heretofore or hereafter adopted or enacted; declaring the policy of the legislature and intent of this act with reference to aged citizens

of the State of Montana, and repealing all acts and parts of acts in conflict herewith."

Armstrong of Flathead arose to a Point of Order stating that this bill is substantially the same as a bill already rejected by the House. Speaker reserves a decision.

House Bill No. 257, introduced by Hunter: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana 1935 as amended by Section 9 of Chapter 14 Session Laws of 1941 relative to the disposition of the revenue received under the Montana Beer Act; providing for payment to State Treasurer for deposit in state general fund; repealing the Montana Beer Act Fund; providing for auditing of books; providing that all accounting and reports to be prepared under Montana Beer Act shall be prepared for state fiscal year." Referred to Committee on Liquor Control.

House Bill No. 258, introduced by Hunter: A bill for an act entitled: "An act to amend Sections 2815.152 and 2815.155, Revised Codes of Montana, 1935, providing for reports to State Examiner and the contents thereof; and when said report shall be made; providing when balance sheets and profit and loss statements shall be made to State Examiner." Referred to Committee on State Boards and Offices.

House Bill No. 259, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain obligations incurred by the Supreme Court, the State Forester and the Library Extension Commission under the provisions of the Public Employees Retirement System for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient." Referred to Committee on Appropriations.

House Bill No. 260, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the governor's office for requisitions for the remainder of the current fiscal year ending June 30, 1949, it being determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient." Referred to Committee on Appropriations.

House Bill No. 261, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the payment of fire insurance premiums for the current biennium ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 262, introduced by Loble and McElwain: A bill for an act entitled: "An act to amend Sections two (2), five (5), and seven (7), of Chapter 171 of the Laws of 1941 providing for and authorizing the sale and lease of unredeemed tax title lands by county commissioners; and permitting counties to reserve oil and gas rights when selling or leasing such unredeemed tax lands; and providing the terms of sale or lease and the procedures therefor; and validating sales and leases heretofore made of such lands." Referred to Committee on Judiciary.

House Bill No. 263, introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 3308.3 Revised Codes of Montana, 1935, relating to the duty of mortgagees to file satisfaction of mortgages filed with the Recorder of Marks and Brands, and providing penalties for failure to file such satisfactions." Referred to Committee on Livestock and Public Ranges.

House Bill No. 264, introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 3847.1 Revised Codes of Montana, 1935, as amended by Chapter 153, Laws of the Twenty-eighth Legislative

Assembly of the State of Montana, and as further amended by Chapter 262, Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to the definition of terms used in the act regulating motor carriers, and providing that the act shall apply to the transportation of livestock for hire and to add a Section to Chapter 310, Political Code of Montana, 1935, to be designated Section 3847.30 providing for the granting of authority to persons engaged in the transportation of livestock 'for hire' on the date of passage of this act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 265, introduced by Esp and Scofield: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of the Twenty-Eighth Legislative Assembly of the State of Montana of 1943, as amended by Chapter 176 of the Laws of the Twenty-Ninth Legislative Assembly of the State of Montana of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, relating to the inspection of livestock before removal from any county in the state, and repealing all acts in conflict herewith." Referred to Committee on Livestock on Public Ranges.

House Bill No. 266, introduced by Barnard: A bill for an act entitled: "An act to amend Sections 3, 6, 12, 14, and 15 of Chapter 208 Session Laws of 1939, and Sections 7, 8, 9, and 20 of Chapter 208, Session Laws of 1939, as amended by Chapter 199, Session Laws of 1945, relating respectively to creation of Montana Grass Conservation Commission, powers, duties, and compensation of members of commission, powers of state districts, method of voting in districts, adoption of by-laws by districts, appeals to commission, manner of creating state districts and manner of distributing grazing permits; repealing all acts in conflict." Referred to Committee on Livestock and Public Ranges.

House Bill No. 267, introduced by Ballard, Van Dyke, Loble, Robertson, Laas, Culbertson, Cunningham, Jarussi, Beck, Clark (Musselshell), Holtz, Nixon, Harken, Tripp, Howard, Ewing, Hall, Anderson (Hill), Anderson (Phillips), Trout, Esp, Scofield, Andersen (Richland), Haytin, Jensen, Page, (Granite), Aronow, McElwain, MacDonald, McKenna, Ganson, Martin. Hunter, Harlow and Cotton: A bill for an act entitled: "An act providing for the payment by the counties and the State of Montana of bounty for the destruction of magpies and taking of magpie eggs and prescribing a method of proof as to where they were killed or taken and the manner of collecting the bounty and prescribing penalties for violation of the act." Referred to Committee on Judiciary.

House Bill No. 268, introduced by Bricker by request: A bill for an act entitled: "An act to amend Section 4630.7 of the Revised Codes of Montana, 1935, relating to the petition and election required for county bonds issued for various purposes; providing the method of election to be followed in issuing bonds for the purpose of erecting a building or buildings as provided by law; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 269, introduced by Holding, Karlberg, Mulroney, Page (Missoula): A bill for an act entitled: "An act to amend Section 5397, Revised Codes of Montana, 1935, relating to commission form of government; providing that petition signed by five per cent (5%) of the qualified electors may demand an election to abandon such form of government." Referred to Committee on Affairs of Cities.

House Bill No. 270, introduced by Holding, Peterson, Karlberg, Gundersen, Wilson (Judith Basin), and Haytin: A bill for an act entitled: "An act providing for the appointment of county planning commissions, prescribing the powers, duties, and financing thereof; providing for zoning, land use regulations and subdivision controls and defining the limits thereof; providing for building permits; providing penalties; and repealing all acts and

parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 271, introduced by Scofield and Esp: A bill for an act entitled: "An act to prohibit the installation, operation, or use of television receiving sets or television screens in motor vehicles within the range of vision of the drivers or operators thereof, providing such installation, operation, or use by any person shall constitute a misdemeanor, providing penalties upon conviction of violation, and providing when this act shall take effect." Referred to Committee on Highways and Highway Transportation.

House Bill No. 272, introduced by Ballard, Loughran, Clark (Silver Bow), Foley, Mernin, Tierney, Dwyer and McCarthy: A bill for an act entitled: "An act providing for payment by counties of any indebtedness incurred by a county in good faith prior to August 1, 1948, the payment of which has not been made." Referred to Committee on Townships and Counties.

Speaker stated that he had compared the subject matter in House Bill No. 256 and House Bill No. 44, which was killed by the House, and the Introduction of House Bill No. 256 is hereby rejected under Rule 36, paragraph 3.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed Gunderson of Cascade to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business of General Orders, recommend:

That House Bill No. 142 do pass.

That House Bill No. 196 do pass.

That House Bill No. 163 consideration passed for the day.

That House Bill No. 139 do pass.

That House Bill No. 45 do pass.

That House Bill No. 158 do pass.

That House Bill No. 200 do pass.

That House Bill No. 197 do pass.

That House Bill No. 186 do pass.

That House Bill No. 184 strike the enacting clause.

That House Bill No. 185 do pass.

That House Bill No. 154 do pass.

That House Bill No. 147 do pass.

That House Bill No. 159 do pass.

That Senate Bill No. 3 be amended in Section 1 by adding after the figure "8816" in the amendment the following: "or Section 8824", and as so amended recommend: That Senate Bill No. 3 be concurred in.

GUNDERSON, Chairman.

Report adopted.



## MOTIONS AND RESOLUTIONS

Moved by Domke that House Bill No. 163 be re-referred to the Committee on Revenue and Taxation. Carried.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that House Joint Resolution No. 2 has been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled; House Bills, Nos. 17, 53, 47, and House Joint Memorial No. 3.

WIEDMAN, Chairman.

Report adopted.

House please take notice that the Speaker is about to sign House Bill No. 17.

I have examined House Bill No. 17 introduced by me and find the same to be correct.

DUNCAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 53.

I have examined House Bill No. 53 introduced by me and find the same to be correct.

WESTLAKE.

House please take notice that the Speaker is about to sign House Bill No. 47.

I have examined House Bill No. 47 introduced by me and find the same to be correct.

DUNCAN, Chairman.

House please take notice that the Speaker is about to sign House Joint Memorial No. 3.

I have examined House Joint Memorial No. 3 introduced by me and find the same to be correct.

ESP.

Moved by Loble that the House recess until 1:30 P. M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 130, 150, 159, 200, 197, and 45.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills, correctly engrossed: House Bills Nos. 186, 139, 41, 107 and 71.

VAN DYKE, Chairman.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Domke and Bricker: A bill for an act entitled: "An act to amend Section 5019 of the Revised Codes of Montana, 1935, as amended by Chapter



50 of the Laws of the Twenty-Eighth Legislative Assembly, 1943; amending Section 5023 of the Revised Codes of Montana, 1935, as amended by Chapter 25 of the Laws of the Twenty-Eighth Legislative Assembly, 1943; and amending Section 5025 of the Revised Codes of Montana, 1935, as amended by Chapter 124 of the Twenty-Ninth Legislative Assembly, 1945, pertaining to the salaries and qualifications of mayor and aldermen, city attorney and city clerk and repealing all acts and parts of acts in conflict herewith."

By Loble, Emmons and Burns: A bill for an act entitled: "An act to amend Section 4, of Chapter 204, the Laws of Twenty-Ninth Legislative Assembly of 1945, and to appropriate an additional \$350,000 out of any monies in the general fund in the state treasury not otherwise appropriated for the purpose of constructing and furnishing the 'Montana Veterans and Pioneers Memorial Building' mentioned in said Chapter 204, of the Laws of 1945, and to re-enact all of the remainder of said Chapter 204, Laws of 1945; providing for the effective date of this act, and repealing all acts and parts of acts in conflict herewith."

By Bricker: A bill for an act entitled: "An act to repeal Section 836.6 of the Revised Codes of Montana, 1935, relating to the use of state funds in the erection of residence halls at the units of the Greater University of Montana."

By Williams: A bill for an act entitled: "An act to amend Section 20 of Chapter 152, of the Laws of the Twenty-Ninth Legislative Assembly, 1945, relating to the state aviation fund, and repealing all acts and parts of acts in conflict herewith."

By Nixon, Bricker and Pierce: A bill for an act entitled: "An act to provide for a use tax on trucks, trailers and semi-trailers operating over and upon the highways of the State of Montana; providing for the rate of such tax; providing for the collection thereof by the county treasurers of the respective counties in the State of Montana; providing for the deposit of 95% of the proceeds of said tax in the state highway general fund in the state treasury; providing for blanks to be provided to the county treasurers by the Montana Highway Commission; providing for the retention of 5% of said tax by the said county treasurers; providing for the enforcement of the act and penalties for the violation thereof; providing for the effective date of the act and repealing all acts or parts of acts in conflict herewith."

By Domke and Bricker: A bill for an act entitled: "An act to amend Sections 2, 3 and 5 of Chapter 143, Session Laws, 1947, relating to fireworks, to define fireworks; prohibiting the sale, offering or exposing for sale and use of fireworks, except in certain cases; relating to the manner of using fireworks; providing where act does not apply."

By Esp and Scofield: A bill for an act entitled: "An act to define and declare the policy of the State of Montana with respect to the method of fixing the rental of state lands by the State Land Board; enumerating certain factors to be taken into consideration in establishing such rentals and amending Section 1805.25 Revised Codes of Montana, 1935, as amended by Chapter 207 Session Laws, 1945, and Chapter 254, Session Laws, 1947, and repealing all acts in conflict."

By Hoiness: A bill for an act entitled: "An act to amend Section 2434 of the Revised Codes of Montana, 1935, as amended by Chapter 94 of the Twenty-Ninth Legislative Session of 1945 relating to the procuring of licenses and the fee for such licenses for bowling alleys."

By Domke: A bill for an act entitled: "An act to amend Sections 6565, 6566 and 6568 of the Revised Codes of Montana, 1935, relating to certificates and licenses of railroad and steamboat ticket agents."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

DUNCAN, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Harken that we reconsider the action of the House in adopting an adverse committee report by the Committee on Appropriations on House Bill No. 112. Motion lost.

## INTRODUCTION OF BILLS AND MEMORIALS

The following Measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 273, introduced by Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 4542, Revised Codes of Montana, 1935, relating to county farm bureaus; providing such bureaus may be organized to work in cooperation with various interested county groups and agencies." Referred to Committee on Agriculture.

House Bill No. 274, introduced by Sales, Dokken and Westlake: A bill for an act entitled: "An act to amend Section 4487, Revised Codes of Montana, 1935, relating to authorizing the Board of County Commissioners in each county to appropriate money out of the general fund of the county treasury and to authorize said Board of County Commissioners to make a special levy for the purpose of carrying on work in agriculture and home economics in cooperation with the Montana State College and the United States Department of Agriculture." Referred to Committee on Agriculture.

House Bill No. 275, introduced by Bricker and Westlake: A bill for an act entitled: "An act to amend Sections 1, 2, 3, 4, 5, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Chapter 284 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, entitled: 'An act to set the

standards of the practices of civil engineering and land surveying and to safeguard life, health, property and promote the public welfare; providing for the registration of qualified persons as civil engineers and land surveyors, and providing for the certification of engineers-in-training; defining the terms 'civil engineer', 'engineer-in-training', 'practice of civil engineering', 'land surveyor' and 'practice of land surveying'; creating a state board of registration for civil engineers and land surveyors and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements; and providing for the enforcement of this act and penalties for its violation, 'by setting up standards for the practice of professional engineering and land surveying, providing for the registration of qualified persons as professional engineers and land surveyors; defining the term professional engineer; creating a board of registration for professional engineers and land surveyors, and providing for the appointment of its members; fixing the term of the board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; making the administration of this act self supporting by establishing fees with expiration and renewal requirements and providing for the enforcement of this act and penalties for its violation.' Referred to Committee on State Boards and Offices.

House Bill No. 276, introduced by Duppler and Standish: A bill for an act entitled: "An act to regulate the use of rifles, pistols or revolvers, shotguns, and bows and arrows, in the pursuit, wounding or killing of game birds and big game animals; restricting the uses of automatic and semi-automatic rifles; the limitations on the cartridges to be used therein; providing the penalty for violation of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 277, introduced by McCarthy: A bill for an act entitled: "An act to amend Section 11159, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 153, Session Laws, 1937, relating to gambling games by declaring a violation thereof to be a felony; providing a penalty and repealing all acts in conflict." Referred to Committee on Judiciary.

House Bill No. 278, introduced by Aronow and McKenna: A bill for an act entitled: "An act to amend Sections 7088 of the Revised Codes of Montana of 1935, as amended by Chapter 44 of the Session Laws of Montana of 1947, relating to succession to property by aliens and regulating the manner and conditions of such succession and providing for the institution of proceedings to determine the right of succession by non-resident aliens to succeed to property within this state and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

### SENATE BILLS

Senate Bill No. 3 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess,

Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 76.

Noes: None.

Absent and not voting: Aronow, Corcoran, Duncan, Esp, Frerich, Gunderson, Hunter, McKenna, Michels, Nixon, O'Neil, Standish, Tierney, Working. Total 14.

### SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment to House Bill No. 13 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 77.

Noes: None.

Absent and not voting: Aronow, Barnard, Corcoran, Esp, Frerich, Gunderson, Harken, Hunter, McKenna, Michels, O'Neil, Standish, Tierney. Total 13.

Senate Amendment to House Bill No. 16 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McElwain, Martin, Mulroney, Oliver, Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Taber, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 62.

Noes: Ballard, Esp, Ewing, Foley, Hall, Howard, Loughran, McCarthy, Mernin, Phillips, Scofield, Smith, Taylor, Van Dyke. Total 14.

Absent and not voting: Armstrong, Aronow, Corcoran, Duncan, Frerich, Hunter, McKenna, Michels, Nixon, O'Neil, Page (Granite), Standish, Tierney, Working. Total 14.

Senate Amendment to House Joint Memorial No. 2 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt,



Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 73.

Noes: Brenner and Taylor. Total 2.

Absent and not voting: Armstrong, Bricker, Corcoran, Dokken, Duncan, Frerich, Jarussi, MacDonald, McKenna, Michels, Nixon, O'Neil, Standish, Tierney, Working. Total 15.

### HOUSE BILLS

House Bill No. 186 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 77.

Noes: None.

Absent and not voting: Corcoran, Cunningham, Duncan, Harlow, Haytin, Krieg, Loughran, McKenna, Michels, O'Neil, Standish, Tierney, Working. Total 13.

House Bill No. 139 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 78.

Noes: None.

Absent and not voting: Corcoran, Duncan, Haytin, Krieg, McKenna, Mernin, Michels, O'Neil, Sales, Standish, Tierney, Working. Total 12.

House Bill No. 41 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton,



Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Mulrone, Nixon, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 75.

Noes: Ewing, Oliver and Taylor. Total 3.

Absent and not voting: Corcoran, Duncan, Gunderson, Haytin, Krieg, McKenna, Martin, Michels, O'Neil, Standish, Tierney, Working. Total 12.

House please take notice that the Speaker is about to sign Senate Bill No. 9.

House please take notice that the Speaker is about to sign Senate Bill No. 17.

House Bill No. 107 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Mulrone, Nixon, Oliver, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 75.

Noes: None.

Absent and not voting: Corcoran, Duncan, Haytin, Hunter, Krieg, McElwain, McKenna, Michels, O'Neil, Page (Missoula), Phillips, Standish, Tierney, Westlake, Working. Total 15.

House Bill No. 71 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, Page (Granite), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 79.

Noes: None.

Absent and not voting: Corcoran, Duncan, Harken, McKenna, Michels, O'Neil, Page (Missoula), Pierce, Standish, Tierney, Working. Total 11.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Bricker: A bill for an act entitled: "An act to amend Section 4981, of the Revised Codes of Montana of 1935, relating to what the plat of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town or townsite must contain so as to authorize and empower the Board of County Commissioners of the county, or the council of the city or town, as the case may be, for good cause shown, and after a public hearing, to diminish the amount of area required to be dedicated as public parks and playgrounds or to order that no park or playground be set aside or dedicated, all without restrictions as to the areas involved, and repealing all acts and parts of acts in conflict herewith."

By Jarussi and Dokken: A bill for an act entitled: "An act limiting the right to perform autopsies upon, or dissect the dead body of a human being to cases specifically authorized by statute, or will or other written declaration of statement of the deceased; to cases where the next of kin charged with burial authorize dissection; to cases where a decedent dies in public institutions located in the State of Montana, leaving no surviving next of kin, when the manager or superintendent of the institutions named herein first secures an order of the district court authorizing such dissection or autopsy or post-mortem examination; providing that such procedures shall be conducted by licensed physicians and surgeons, and for reports by such physicians and surgeons, excepting licensed undertakers from the operation of the act to the extent permitted by law, and providing any violation of this act shall be a misdemeanor, and repealing all acts and parts of acts in conflict herewith."

By Blenkner: A bill for an act entitled: "An act to amend paragraph (a) 1. of Section 11, Chapter 255, Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947; providing that licensed casualty insurers shall file with the Commissioner of Insurance of the State of Montana every manual of classifications, rules and rates, every rating plan and every modification of any such filing, which it proposes to use for casualty insurance covered by Chapter 255, Session Laws of 1947."

By Gunderson, Holtz, Dusak, Peterson and Beck: A bill for an act entitled: "An act to amend Section 19 (j) (6) (A) of Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 164, Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, as amended by Chapter 233 of the Session Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, as amended by Chapter 190, Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, providing that the term "employment" shall not include agricultural labor, if such individual operator of a farm has not paid, in any calendar year, wages of at least four thousand dollars (\$4000.00)."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 22, 219, 146, 171, 170 and 168 have been returned correctly printed.

O'NEIL, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 197 be taken from Third Reading and be re-referred to the Committee on State Lands. Carried.

Moved by Loble that House Bill No. 258 be taken from State Boards and Offices and be re-referred to the Committee on Liquor Control. Carried.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 130 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 75.

Noes: Page (Granite), Phillips, Skibby. Total 3.

Absent and not voting: Aronow, Blenkner, Bricker, Corcoran, Duncan, Gebhardt, Krieg, McKenna, Michels, Standish, Tierney, Working. Total 12.

House Bill No. 150 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Burns, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total 75.

Noes: None.

Absent and not voting: Blenkner, Bricker, Clark (Musselshell), Corcoran, Duncan, Hall, Harpster, McKenna, Michels, Mulrone, Pierce, Standish, Taylor, Tierney, Working. Total 15.

House Bill No. 159 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin,

Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson, (Judith Basin), Mr. Speaker.

Ayes: Total 74.

Noes: Esp, Ewing, Scofield, Skibby. Total 4.

Absent and not voting: Armstrong, Blenkner, Corcoran, Duncan, Hall, Harken, McKenna, Michels, Standish, Taylor, Tierney, Working. Total 12.

House Bill No. 200 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 77.

Noes: Emmons, Krieg, Oliver. Total 3.

Absent and not voting: Blenkner, Corcoran, Duncan, Gunderson, Hall, McKenna, Michels, Standish, Taylor, Tierney. Total 10.

House Bill No. 45 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Mernin, Nixon, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Working, Mr. Speaker.

Ayes: Total 59.

Noes: Brenner, Duppler, Esp, Gebhardt, Hawks, Hoiness, Koch, Krieg, Martin, Mulroney, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Taber, Taylor, Wiedman, Wilson (Treasure), Frerich. Total 24.

Absent and not voting: Blenkner, Corcoran, Duncan, McKenna, Michels, Standish, Tierney. Total 7.

Moved by Loble that the House adjourn until 10:00 A. M. Friday, February 4, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-THIRD LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 4, 1949.

House convened.



Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Jarussi and Martin, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Thirty-second Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 138, has been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 154, 142, 185, 196, 158 and 147.

VAN DYKE, Chairman.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Bricker and Graybill: A bill for an act entitled: "An act to amend Section 1548, Revised Codes of Montana, 1935, relating to the State Library; providing that the number of trustees on the historical and miscellaneous library board be increased."

By Committee on Fish and Game, Ballard, Chairman: A bill for an act entitled: "An act relating to game animals; empowering the State Fish and Game Commission to issue special permits for the killing or taking of certain game animals when such animals are increasing in number and damaging property; defining the terms used in this act and repealing Chapter 136 of the Session Laws of Montana of 1947; Chapter 57, Session Laws of Montana of 1947 and Section 3729.2, Revised Codes of Montana, 1935, as amended by Chapter 57 of the Session Laws of Montana of 1947; Chapter 146 Session Laws of Montana of 1945, and Section 3729.1, Revised Codes of Montana, 1935, as amended by Chapter 146, Session Laws of Montana of 1945; Section 3729.3a, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith."

By Domke, Working, O'Neil and Blenkner: A bill for an act entitled: "An act to reorganize and improve the public elementary and secondary school system of the State of Montana; providing for the creation of the Montana School Reorganization Commission and a county redistricting committee in each county to accomplish the territorial and administrative reorganization of the school districts of the state and defining the powers, duties and procedures of the same; providing the minimum qualifications for school districts, the methods of creating, abolishing and dissolving the same and the distribution of the property and indebtedness thereof; providing the mode and time of election of school district trustees; providing for the raising of revenues by school district and county taxes for support of the schools and payments by the state in support of such schools and school transportation within prescribed limits; providing the method of preparation, adoption and final approval of school district budgets and the method of expenditure of school funds; providing a uniform procedure for the holding of all school elections other than bond elections and elections for special tax levies; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 964; 1029.1; 1052; 1061; 1211; repealing sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 963; 986; 987; 988; 989; 990 as last amended by Section 1 of Chapter 130, Laws of 1945; 1001; 1019; 1019.1; 1019.2; 1019.3; 1019.4; 1019.5 as amended by Section 1 of Chapter 63,



Laws of 1941; 1019.6 as amended by Section 2 of Chapter 63, Laws of 1941; 1019.7; 1019.8; 1019.9; 1019.10; 1019.11; 1019.12; 1019.13; 1019.14; 1019.15; 1019.18; 1019.19; 1019.20; 1019.21; 1019.23; 1019.25; 1019.26; 1020; 1021 as amended by Section 1 of Chapter 85, Laws of 1943; 1024 as amended by Section 1 of Chapter 61, Laws of 1943; 1026; 1027; 1030; 1031; 1034 as amended by Section 1 of Chapter 201, Laws of 1943; 1035; 1036; 1036.1; 1036.2; 1037.1; Section 1 of Chapter 47, Laws of 1945; 1037.4; 1037.5; 1039; 1039.7; 1186.1; Sections 1, 2, 3, 4, 5 and 6 of Chapter 152, Laws of 1941; Section 7 of Chapter 152, Laws of 1941 as last amended by Section 1 of Chapter 116, Laws of 1945; Sections 8 and 9 of Chapter 152, Laws of 1941; Section 13 of Chapter 152, Laws of 1941 as amended by Section 2 of Chapter 189, Laws of 1943, and Chapter 169, Laws of 1947; Section 14 of Chapter 152, Laws of 1941, as amended by Section 3 of Chapter 189, Laws of 1943; 1199; 1200.1; 1200.2; 1200.3; 1200.4 as last amended by Section 1 of Chapter 169, Laws of 1939; 1200.5; 1200.6; 1200.7; 1200.8; 1200.9; 1201.1; 1201.2; 1201.3; as last amended by Section 1 of Chapter 281, Laws of 1947; 1201.4 1202; 1203 as amended by Section 1 of Chapter 51, Laws of 1945; 1204; 1205; 1219; 1220; 1221; 1222; 1223 as amended by Section 1 of Chapter 31, Laws of 1941; 1262.3; 1262.4; 1262.5; 1262.6; 1262.7; 1262.8; 1262.9; 1262.10; 1262.18; 1263.1; 1263.2; 1263.3; 1263.4 as amended by Section 1 of Chapter 64, Laws of 1941; 1263.5 as last amended by Section 1 of Chapter 280, Laws of 1947; 1263.6; 1263.9; 1263.10; 1263.11 as amended by Section 1 of Chapter 131, Laws of 1941; 1263.12; 1263.13; 1263.14; 1263.15; 1263.17; 1263.18; 1263.19; 1263.20; 1263.21; 1263.22; 1263.23; 1263.24; 1263.25; 1263.26; 1263.27; 1263.29; 1263.30; 1263.31."

By Working: A bill for an act entitled: "An act to amend Section 1262.81 and Section 1263.8; Revised Codes of Montana as amended by Chapter 217, Session Laws of the Twenty-sixth Legislative Assembly, 1939, and as amended by Chapter 219, Session Laws of the Twenty-eighth Legislative Assembly, 1943, all relating to attendance of high school pupils at high schools outside of the counties of their residence, the transfer of appropriations and budgeting for such pupils."

By Hoiness, Armstrong and Harlow: A bill for an act entitled: "An act to provide for the collection of income tax at source on wages, and to amend Section 2295.25 of the Revised Codes of Montana, 1935, relating to the payment of tax, penalty, interest and refund of excess payment."

By Committee on Livestock and Public Ranges, Clark (Musselshell), Chairman: A bill for an act entitled: "An act to amend Section 3298.18 of the Revised Codes of Montana, 1935, as amended by Chapter 78, Montana Session Laws, 1941, relating to inspection and marking of hides and carcasses of slaughtered cattle; providing for inspection of carcasses and quarters of carcasses before beef or veal shall be received for storage in commercial storage lockers or commercial cold storage plants; and repealing all acts or parts of acts in conflict herewith."

By Hunter, Karlberg, Holding, Mulroney, Page (Missoula) and Haytin: A bill for an act entitled: "An act to amend Section 5386 of the Revised Codes of Montana 1935, as amended by Chapter 75 of the Laws of the 29th Legislative Assembly, 1945, relating to the place where the council shall have its office; the salaries and compensation of the mayor and councilmen for cities operating under the commission form of government, and repealing all acts and parts of acts in conflict herewith."

By Ganson: A bill for an act entitled: "An act relating to tax stamps or insignia of the State of Montana; providing penalty for counterfeiting any such stamp or insignia, or having possession thereof, or being concerned therewith; prescribing penalty for the re-using any such stamp or insignia, and for failure or refusal to properly affix any such stamp or insignia, or to properly cancel any such stamp."

By Dwyer and Loble: A bill for an act entitled: "An act to amend Section XI of Part III of Chapter 82 of the Session Laws of 1937, as

amended by Section 1 of Chapter 178 of the Laws of 1943, as amended by Section 1 of Chapter 63 of the Laws of 1947, relating to the amount of property exempt from claim and to recover from the estate of a decedent and to claim for old age assistance, and that no claim shall be enforced against real estate in certain cases, and providing method for distribution of funds so recovered."

By O'Neil, Armstrong, Burns, Williams and Aronow: A bill for an act entitled: "An act to amend Section 1830.1, Revised Codes of Montana, 1935, relating to classification and reservation of state owned lands as state forests, by providing that any lands, interests in land, buildings, or other property owned by the state within Glacier National Park, may be conveyed to the United States at an appraised value, without competition, in accordance with consent of the United States as expressed in Public Law 446, approved March 16, 1948, repealing all acts and parts of acts in conflict herewith, and providing for the method of appraisal, and providing an effective date."

By Dwyer (by request): A bill for an act entitled: "A bill to permit Peter W. Graham of Victor, Montana, to file an action at law against the State of Montana, and the Water Conservation Board of the State of Montana in Ravalli County, Montana, because and by reason of damages allegedly suffered by the said Peter W. Graham through the breaking of a dam constructed by the Water Conservation Board and under the authority of the Water Conservation Board in Ravalli County, Montana."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be concurred in.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be not concurred in.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do not pass, but that Substitute House Bill No. 123, a bill for an act entitled: "An act to define, regulate and license agencies for the adoption of minor children, setting up minimum requirements for such agencies, providing for certified copies and cancellation of licenses, providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." do pass.

HARKEN, Chairman.

Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass, but that Substitute House Bill No. 124, a bill for an act entitled: "An act to amend Section 5862 of the Revised

Codes of Montana of 1935, as amended by Chapter 181 of the Laws of 1945, relating to the examination of persons seeking to adopt children, and requiring report and prescribing secrecy in connection with hearing for adoption, and repealing all acts and parts of acts in conflict herewith." do pass.

HARKEN, Chairman.  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do not pass.

HARKEN, Chairman.  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass, but that Substitute House Bill No. 126, a bill for an act entitled: "An act to amend Section 5866 of the Revised Codes of Montana of 1935 relating to report and consent necessary on the adoption of a deserted or abandoned minor child, and repealing all acts and parts of acts in conflict herewith." do pass.

HARKEN, Chairman.  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 be amended as follows:

First, in the title of the original typewritten bill, line 8, after the word OTHERWISE in said title change the period to a comma and insert the words "AND REPEALING", and further by putting a period and quotes after the word "HEREWITH" in said line 8 of said title, and striking the last three words of said title, to-wit: "ARE HEREBY REPEALED".

Second, in Section 1, line 16 of the original typewritten bill strike the words "the recommendation" and in lieu thereof insert the words "considering the report"; further in said line 16, strike the words "a licensed adoption agency or"; further in line 17, strike the words "and in the opinion of" and insert after the words "district judge" the word "deems"; and further in line 18, strike the word "is", and as amended recommend that House Bill No. 127 do pass.

HARKEN, Chairman.  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do not pass but that Substitute House Bill No. 128, a bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935 as last amended by Chapter 51 of the Laws of 1947, relating to consent necessary to adopt minor children, and repealing Sections 5867, 1507, 1508, 1509 and 1510, and all acts and parts of acts in conflict herewith." do pass.

HARKEN, Chairman.  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Memorial No. 3, respectfully report as follows: That House Memorial No. 3 do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

BALLARD, Chairman.

Committee on Fish and Game.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 156 has been returned correctly printed.

O'NEILL, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 173, 162 and 169 have been returned correctly printed.

O'NEILL, Chairman.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 65 by Aronow and others.

House Joint Memorial No. 5 by Committee on Petroleum, Oil and Gas.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for its concurrence:

Senate Substitute for Senate Bill No. 7, by Committee on Education.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House:

House Bill No. 35, by Domke and others.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble, that the remainder of the Messages from the Senate be considered read at length and the Journal so show.

#### MOTIONS AND RESOLUTIONS

Moved by Burns, that House Bill No. 160 be taken from General Orders and be re-referred to the Committee on Appropriations. Carried.

Moved by Harken, that House Bill No. 188 be taken from General Orders and be re-referred to the Committee on Appropriations.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

#### SENATE

Senate Substitute for Senate Bill No. 7, introduced by Committee on Education: A bill for an act entitled: "An act to amend Sections 1262.53, 1262.54, and 1262.55 of the Revised Codes of Montana, 1935, relating to the establishment of junior high schools." Referred to Committee on Education.

#### HOUSE

House Bill No. 279, introduced by Domke and Bricker: A bill for an act entitled: "An act to amend Section 5019 of the Revised Codes of Mon-



tana 1935 as amended by Chapter 50 of the Laws of the 28th Legislative Assembly 1943; amending Section 5023 of the Revised Codes of Montana 1935 as amended by Chapter 25 of the Laws of the 28th Legislative Assembly 1943; and amending Section 5025 of the Revised Codes of Montana 1935 as amended by Chapter 124 of the 29th Legislative Assembly 1945 pertaining to the salaries and qualifications of mayor and aldermen, city attorney and city clerk and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 280, introduced by Tierney, Foley and Smith: A bill for an act entitled: "An act to repeal Section 2815.109 of the Revised Codes of Montana, 1935, relating to cashing of pay checks at liquor dispensaries." Referred to Committee on Liquor Control.

House Bill No. 281, introduced by Trout, Jensen, Howard, Tripp, Burns, Cotton, Hess, Ewing, Van Dyke and Harpster: A bill for an act entitled: "An act requiring shelter for railroad employees; providing that violation of this act shall be a misdemeanor and providing a penalty for such violation." Referred to Committee on Railroads and Railroad Transportation.

House Bill No. 282, introduced by Koch, Sales, Gebhardt, Standish, Taber and Gunderson: A bill for an act entitled: "An act to appropriate the sum of fifty thousand (\$50,000.00) dollars as a revolving fund for the use of the Commissioner of Agriculture for the purpose of making loans and grants in aid to promote and facilitate the construction of labor camps or barracks for transient farm laborers; providing said Commissioner set up rules and regulations for securing such loans or grants in aid." Referred to Committee on Appropriations.

House Bill No. 283, introduced by Ganson, Hawks, Barnard, Hess, Smith, Andersen (Richland), Page (Granite), Williams, Beck, Harpster, McElwain and Foley, Jensen and Harlow: A bill for an act entitled: "An act to amend Section 950.1 of the Revised Codes of Montana, 1935, and an act to amend Section 1 of Chapter 150 of the Laws of 1945, relating to the salaries of County Superintendent of Schools, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 284, introduced by Nixon, Bricker and Pierce: A bill for an act entitled: "An act to provide for a use tax on trucks, trailers and semi-trailers operating over and upon the highways of the State of Montana; providing for the rate of such tax; providing for the collection thereof by the County Treasurers of the respective counties in the State of Montana; providing for the deposit of 95% of the proceeds of said tax in the State Highway General Fund in the State Treasury; providing for blanks to be provided to the County Treasurers by the Montana Highway Commission; providing for the retention of 5% of said tax by the said County Treasurers; providing for the enforcement of the act and penalties for the violation thereof providing for the effective date of the act and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 285, introduced by Jarussi, Dokken: A bill for an act entitled: "An act limiting the right to perform autopsies upon, or dissect the dead body of a human being to cases specifically authorized by statute, or will or other written declaration or statement of the deceased; to cases where the next of kin charged with burial authorize dissection; to cases where a decedent dies in public institutions located in the State of Montana, leaving no surviving next of kin, when the manager or superintendent of the institutions named herein first secures an order of the district court authorizing such dissection or autopsy or post-mortem examination; providing that such procedures shall be conducted by licensed physicians and surgeons, and for reports by such physicians and surgeons, excepting licensed undertakers from the operation of the act to the extent permitted by law, and providing any violation of this act shall be a misdemeanor,

and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 286, introduced by Bricker: A bill for an act entitled: "An act to repeal Section 836.6 of the Revised Codes of Montana, 1935, relating to the use of state funds in the erection of residence halls at the units of the Greater University of Montana." Referred to Committee on Education.

House Bill No. 287, introduced by Bricker: A bill for an act entitled: "An act to amend Section 4981, of the Revised Codes of Montana of 1935, relating to what the plat of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town or town-site must contain so as to authorize and empower the Board of County Commissioners of the county, or the council of the city or town, as the case may be, for good cause shown, and after a public hearing, to diminish the amount of area required to be dedicated as public parks and playgrounds or to order that no park or playground be set aside or dedicated, all without restrictions as to the areas involved, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 288, introduced by Hoiness: A bill for an act entitled: "An act to amend Section 2434 of the Revised Codes of Montana, 1935, as amended by Chapter 94 of the Twenty-ninth Legislative Session of 1945, relating to the procuring of licenses and the fee for such licenses for bowling alleys." Referred to Committee on Townships and Counties.

House Bill No. 290, introduced by Blenkner: A bill for an act entitled: "An act to amend paragraph (a) 1. of Section 11, Chapter 255, Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947; providing that licensed casualty insurers shall file with the Commissioner of Insurance of the State of Montana every manual of classifications, rules and rates, every rating plan and every modification of any such filing, which it proposes to use for casualty insurance covered by Chapter 255, Session Laws of 1947." Referred to Committee on Insurance.

House Bill No. 289, introduced by Hoiness, Peters and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 4929 of the Revised Codes of 1939 relating to the salaries and office hours of the Justice of the Peace." Referred to Committee on Townships and Counties.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Burns, Laas, Pierce, Gunderson, Standish, Trout and Hall: A bill for an act entitled: "An act to amend Section 1755, Revised Codes of Montana, 1935, as amended by Chapter 62 of the Laws of the Twenty-eighth Legislative Assembly of Montana, 1943, providing for the appointment of the Registrar of Motor Vehicles by the State Highway Commission, a Deputy Registrar, and relating to the duties of registrar, at seat of Government and repealing all acts and parts of acts in conflict herewith."

By Committee on Appropriations; Duncan, Chairman: A bill for an act entitled: "An act appropriating all balances of money remaining in the several appropriations made under the provisions of House Bill No. 3, Laws of Montana of 1947, from the Post-War Planning and Construction Reserve Fund for the following state institutions: Eastern Montana Norman School, Billings; Montana School of Mines, Butte; Montana State College, Bozeman; Montana State Normal College, Dillon; Montana State University, Missoula; Northern Montana College, Havre; School for the Deaf and Blind, Great Falls; Industrial School for Boys, Miles City; Montana

State Orphans' Home, Twin Bridges; Montana State Prison, Deer Lodge; Montana Soldiers' Home, Columbia Falls; Montana State Training School, Boulder; Vocational School for Girls, Helena; Montana State Tuberculosis Sanitarium, Galen; Water Conservation Board; State Capitol; and repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act."

By Committee on Appropriations; Duncan, Chairman: A bill for an act entitled: "An act to appropriate to the State Board of Examiners the balances of money remaining in the Post-War Planning and Construction Reserve Fund on March 1, 1949, out of the appropriations heretofore made to said fund, of which not to exceed two hundred fifty thousand (\$250,000) dollars was made available for architectural and engineering costs under the provisions of Section 8, of Chapter 148, of the Session Laws of Montana of 1945; repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act."

By Committee on Appropriations; Duncan, Chairman: A bill for an act entitled: "An act to reappropriate money appropriated from the General Fund by House Bill 440, Laws of 1947, to supplement appropriations heretofore made to construct buildings at the Northern Montana College and the Eastern Montana State Normal College inasmuch as these funds could not be used prior to June 30, 1949."

By Committee on Fish and Game; Ballard, Chairman: A bill for an act entitled: "An act amending Section 3655, Revised Codes of Montana, 1935 as amended by Chapter 87 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden, his qualifications, salary and duties; amending Section 3664, Revised Codes of Montana, 1935, providing for the appointment and bond of the Superintendent of State Fisheries; amending Section 3665, Revised Codes of Montana, 1935, as amended by Chapter 86 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the salary and expenses of the Superintendent of Fisheries; amending Section 3666, Revised Codes of Montana, 1935, enumerating the powers and duties of the Superintendent of State Fisheries; amending Section 3671, Revised Codes of Montana, 1935, as amended by Chapter 85 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden and the employment of clerks and stenographers, providing for the employment of professional legal assistance for the commission and the State Fish and Game Warden, and permitting the Fish and Game Warden, with the consent of the commission to establish department divisions and employ necessary personnel; amending Section 3673, Revised Codes of Montana, 1935, requiring reports of the State Fish and Game Warden and of the commission; repealing all acts or parts of acts in conflict herewith; and providing for the effective date of this act."

By Committee on Fish and Game; Ballard, Chairman: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, relating to the licensing of guides to-wit: Section 3745, as amended by Chapter 103, Laws of 1941; Section 3746, as amended by Section 25 of Chapter 224, Laws of 1947; Section 3747, 3748, 3749 and 3750; such amendments to provide for an outfitters license in addition to a guides license, penalty for violation of act, defining a guide, defining an outfitter, requiring guides and outfitters to keep records and submit an annual report to the State Fish and Game Warden, and making guides and outfitters equally responsible with those employing them for violation of the law, and repealing all acts and parts of acts in conflict herewith."

By Committee on Fish and Game; Ballard, Chairman: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to appoint a Fish and Game Committee of three members to examine and revise the fish and game laws of the State of Montana, to prepare its recommendations for revision of the fish and game laws of the State of



Montana and embody the same in a proposed legislative act to be submitted to the Governor on or before July 1st, 1950, and that said act so prepared be presented by the Governor to the legislature of the State of Montana at the Thirty-Second Legislative Session, for its consideration; defining the powers and duties of said committee, limiting the number of meetings and providing for public hearings; providing for the payment of expenses in furtherance of this act; limiting the total amount to \$2,500.00 to be paid out of the Fish and Game Fund, on approval of the Fish and Game Commission, and audit by the Board of Examiners, and appropriating said \$2,500.00 from said fund; providing for the attendance of said committee at the Thirty-Second Legislative Assembly of the State of Montana before the Fish and Game Committees of the House and Senate; providing the termination date of said committee; repealing all acts in conflict herewith, and providing for the effective date of this act."

By Jarussi, Van Dyke, Clark (Musselshell), and Andersen (Richland): A bill for an act entitled: "An act to amend Section 5132 of the Revised Codes of Montana 1935, as amended by Chapter 73 of the Laws of the Twenty-sixth Legislative Assembly, as amended by Chapter 98 of the Laws of the Twenty-ninth Legislative Assembly, relating to service pensions, disability pensions and widows' and orphans' pensions to be paid members or survivors of members of fire departments in cities and towns where firemen's relief associations have been formed."

By Pierce, Hawks and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section three, Chapter 279, of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947 relating to fire escapes on hotels, night clubs, boarding or rooming houses, apartments, dormitories, office buildings, theaters, gymnasiums, any place of public amusement or used for public gathering, colleges, schools, stadiums, amphitheaters, factories, hospitals, motor courts, tourist inns, cabins, asylums, sanitariums, and all other places where large numbers of persons work, sleep, live, or congregate from time to time for any purpose; excepting private residences from the provisions of the act; repealing all acts and parts of acts in conflict therewith; providing for the effective date of the act."

By Gunderson, Holtz and Dusak: A bill for an act entitled: "An act amending Section 3565 of the Revised Codes of Montana, 1935, providing for the co-operation between the division of farming and dairying of the State Department of Agriculture and the State Association of Standard Bred Poultry, in the holding of a state exhibition by such association and for the said division of farming and dairying expending each year the sum of \$1,000.00 from its budget to further aid and assist with such exhibition and determining the policy of such exhibition and making a supplemental appropriation for the fiscal years 1949 to 1950 and 1950 to 1951 therefor, and providing this act shall be valid notwithstanding any provisions of the budget act."

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble, that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting:

Mr. Speaker appointed Gebhardt of Yellowstone to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 105 be amended in Section 1 by striking out in lines 33 and 34 of the printed bill, the words and figures one thousand nine

hundred and ninety-six (\$1,996) and in line 36 the words and figures three thousand four hundred (\$3,400) and inserting in lieu thereof in lines 33 and 34 the words and figures two thousand one hundred ninety-six (\$2,196) and in line 36 the words and figures three thousand six hundred (\$3,600).

That House Bill No. 105 be amended in Section 1 by adding thereto in line 40 of the printed bill the words "The salary of the County Auditor, in all counties wherein such office is authorized, shall be the same as that paid to the County Treasurer."

That House Bill No. 105 be amended in Section 1 by striking out in line 8 in Col. A and Col. B the figures 1,160, and inserting in line 8 in Col. A and Col. B in lieu thereof the figures 1,260;

and by striking out in line 9 in Col. A and Col. B the figures 1,208 and inserting in line 9 in Col. A and Col. B in lieu thereof the figures 1,308;

and by striking out in line 10 in Col. A and Col. B the figures 1,256 and inserting in line 10 in Col. A and Col. B in lieu thereof the figures 1,356;

and by striking out in line 11 in Col. A and Col. B the figures 1,304 and inserting in line 11 in Col. A and Col. B in lieu thereof the figures 1,404;

and by striking out in line 12 in Col. A and Col. B the figures 1,352 and inserting in line 12 in Col. A and Col. B in lieu thereof the figures 1,452;

and by striking out in line 13 in Col. A and Col. B the figures 1,400 and inserting in line 13 in Col. A and Col. B in lieu thereof the figures 1,500;

and by striking out in line 14 in Col. A and Col. B the figures 1,448 and inserting in line 14 in Col. A and Col. B in lieu thereof the figures 1,548;

and by striking out in line 15 in Col. A and Col. B the figures 1,496 and inserting in line 15 in Col. A and Col. B in lieu thereof the figures 1,596;

and by striking out in line 16 in Col. A and Col. B the figures 1,544 and inserting in line 16 in Col. A and Col. B in lieu thereof the figures 1,644;

and by striking out in line 17 in Col. A and Col. B the figures 1,592 and inserting in line 17 in Col. A and Col. B in lieu thereof the figures 1,692;

and by striking out in line 18 in Col. A and Col. B the figures 1,640 and inserting in line 18 in Col. A and Col. B in lieu thereof the figures 1,740;

and by striking out in line 19 in Col. A and Col. B the figures 1,688 and inserting in line 19 in Col. A and Col. B in lieu thereof the figures 1,788;

and by striking out in line 20 in Col. A and Col. B the figures 1,736 and inserting in line 20 in Col. A and Col. B in lieu thereof the figures 1,836;

and by striking out in line 21 in Col. A and Col. B the figures 1,784 and inserting in line 21 in Col. A and Col. B in lieu thereof the figures 1,884;

and by striking out in line 22 in Col. A and Col. B the figures 1,832 and inserting in line 22 in Col. A and Col. B in lieu thereof the figures 1,932;

and by striking out in line 23 in Col. A and Col. B the figures 1,880 and inserting in line 23 in Col. A and Col. B in lieu thereof the figures 1,980;

and by striking out in line 24 in Col. A and Col. B the figures 1,928 and inserting in line 24 in Col. A and Col. B in lieu thereof the figures 2,028.

and amend Section 1 by striking out in lines 28 and 29 of the printed bill, the words and figures two thousand four hundred (\$2,400) and in line 30 the words and figures three thousand nine hundred (\$3,900) and inserting in lieu thereof the words in lines 28 and 29 the words and figures two thousand six hundred (\$2,600) and in line 30 the words and figures four thousand one hundred (\$4,100)

and that Section 3 of the printed bill be stricken

and that the title be amended by striking out the words and figures four hundred dollars (\$400) where they appear in the title, and the words and figures providing that this act should be effective only until midnight, the thirty-first day of December, 1954, and inserting in lieu thereof the words and figures six hundred (\$600)

and amend Subsection 3, Section 1 by striking out in line 37, the words:



"Three Hundred Dollars (\$300) a year less than" and inserting in lieu thereof the words: "the same as"

and as so amended, recommend that House Bill No. 105 do pass.

That House Bill No. 153 do pass.

That House Bill No. 39 do pass.

That House Bill No. 157 do pass.

That House Joint Resolution No. 2 do pass.

That House Bill No. 171 be amended in Section 1 of the printed bill in line 6 after the words "Parochial School" by inserting the words. "in which the basic language taught is English.", and as so amended, recommend that House Bill No. 171 do pass.

House Bill No. 146, strike the enacting clause.

GEBHARDT, Chairman.

Report adopted.

Moved by Loble, that the House recess until 2:00 P. M. this day.

House resumed.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hoiness, Clark (Silver Bow) and Gunderson: A bill for an act entitled: "An act to amend Section 5107, Revised Codes of Montana, 1935, relating to salary of Chief of Police; providing for an increase in the maximum salary of said officer."

By Hoiness and Mulroney: A bill for an act entitled: "An act to amend Section 8890, Revised Codes of Montana, 1935, as amended by Chapter 203, Session Laws of 1939, relating to who are competent to act as trial juror, and Sections 8896, 8898, 8899, 8900, Revised Codes of Montana, 1935, and Section 8901, Revised Codes of Montana, 1935, as amended by Chapter 4, Session Laws, 1947, relating to selecting and returning jurors and Section 8904, Revised Codes of Montana, 1935, as amended by Chapter 3, Session Laws, 1939, relating to drawing and summoning jurors, and repealing all acts in conflict."

By Bricker, Hoiness and Dwyer: A bill for an act entitled: "An act to amend Section 5194 of the Revised Codes of Montana, 1935, as amended by Chapter 48 of the Laws of the Twenty-fifth Legislative Assembly, as amended by Chapter 71 of the Laws of the Twenty-ninth Legislative Assembly, relating to the limitation on amount of tax for municipal purposes, distribution of funds, levy for parks, swimming pools, playgrounds, youth centers, and other purposes; and repealing all acts and parts of acts in conflict herewith."

By Harlow and Domke: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 6, Article 13 of the Constitution of the State of Montana, relating to the limitation of indebtedness of liability of school districts, cities, towns or townships."

By Harlow and Domke: A bill for an act entitled: "An act relating to financial support for the public school system of the State of Montana, providing a basic schedule for the determination of the amounts which may be budgeted for the operation of schools, based upon the number of pupils in attendance; providing for equalized county-wide tax to raise half the necessary amounts: providing that trustees may use separate or

joint budgets for elementary and high schools; providing for an equalized levy, on a state-wide basis, to raise the amounts not raised by the county-wide tax and fixing procedures for determining the number of mills necessary for such tax; and repealing Chapter 118, Revised Codes of Montana of 1935, repealing Sections 1202, 1203, and 1019.19, Revised Codes of Montana of 1935, as amended.

By Committee on Conservation of Resources; Goodgame, Chairman: A bill for an act entitled: "An act to amend Section 1830.3, Revised Codes of Montana, 1935, and Section 1 of Chapter 128, Session Laws, 1939, as amended by Section 1 of Chapter 141, Session Laws, 1941, all relating to state forest administration; providing that State Forester's term of office be set by Governor; providing that Governor appoint and set term of office of the members of the State Board of Forestry, and repealing all acts or parts of acts in conflict herewith."

By Harlow and Domke: A bill for an act entitled: "An act to amend Section 177, Revised Codes of Montana of 1935, changing the percentage of forest reserve funds allotted to General Fund and Common School Fund so as to provide that the Common School Fund shall receive fifty per cent (50%) thereof."

By Harlow and Domke: A bill for an act entitled: "An act to amend Section 1224.14 Revised Codes of Montana of 1935, as amended by Chapter 7, Laws of 1937, to provide that a majority of those voting at a school district bond election shall be sufficient."

By Culbertson: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 65, Session Laws, 1939, and by Section 1 of Chapter 20, Session Laws, 1941, and by Chapter 207, Session Laws, 1945, relating to leasing and sub-leasing of agricultural and grazing lands and town and city lots owned by the state by providing for a preference to veterans of World War II, providing for notice by advertising in newspaper of expiration date of said leases, providing conditions when such preference granted, and repealing all acts in conflict."

By Krieg and Harlow: A bill for an act entitled: "An act to amend Section 1224.14 of the Revised Codes of Montana, 1935, as amended by Chapter 7, Session Laws, 1937, relating to the percentage of electors required to authorize bond issue."

By Committee on Privileges and Elections; Mernin, Chairman: A bill for an act entitled: "An act amending Section 646 of the Revised Codes of Montana, 1935, relating to election records, by changing the length of time ballots and records must be kept from two (2) years to one (1) year."

By Domke: A bill for an act entitled: "An act to amend Section 5090, Revised Codes of Montana, 1935, relating to when judge cannot act; providing that in such cases any duly qualified elector called in by the judge or mayor can act."

By Koch: A bill for an act entitled: "An act to amend Section 10400.32, Revised Codes of Montana, 1935, relating to special administration to determine tax where transfers were made in contemplation of death."

By Koch: A bill for an act entitled: "An act to amend Section 10400.51 of the Revised Codes of Montana, 1935, relating to duties of County Clerk in checking records and transfers, and reports to the State Board of Equalization, and for filing a copy thereof for record."

By Working: A bill for an act entitled: "An act to amend Section 4320 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Gallatin County, Montana; and to amend Section 4337 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Park County, Montana."

By Committee on Livestock and Public Ranges; Clark (Musselshell), Chairman: A bill for an act entitled: "An act providing the method of handling and accounting for dead or fallen animals by licensed renderers, defining terms, prescribing a dead or fallen animal record and setting out its function and uses, providing for disposal of hides of such dead or fallen animals in accordance with the provisions of Chapter 177 of the Laws of 1939, providing penalties for violation of this act, repealing all acts or parts of acts in conflict herewith, and establishing an effective date hereof."

By Committee on Livestock and Public Ranges; Clark (Musselshell), Chairman: A bill for an act entitled: "An act to amend Section 6548, Revised Codes of Montana, 1935, relating to the handling and disposal of carcasses and hides of animals killed by any corporation, association, company, person, or persons, by providing such corporations, associations, companies, or persons may dispose of such carcasses and hides to any licensed rendering plant or renderer if the owner shall not claim the same, providing for notification to owner, if ownership is ascertainable, providing for inspection of such hides and manner of disposal thereof, repealing all acts and parts of acts in conflict herewith, and providing this act shall be in full force and effect from and after its passage and approval."

By Committee on Livestock and Public Ranges; Clark (Musselshell), Chairman: A bill for an act entitled: "An act providing for licensing of rendering or disposal plants, revocation of such licenses by the Livestock Sanitary Board or by the State Veterinary Surgeon, a method of appeal by the licensee from such revocation, hearing by the district court, payment of such license fees into the General Fund of the State of Montana, promulgation by the Livestock Sanitary Board of reasonable rules and regulations and orders and the scope thereof, and providing for restraint of the operation of any rendering or disposal plant by the Livestock Sanitary Board or its agents, with notice, except where a menace to public health requires immediate and summary abatement, and providing a method of appeal by the licensee from such restraining order, hearing by the district court, and providing a penalty, and providing for the repeal of all acts and parts of acts in conflict herewith, and for an effective date."

By Harken: A bill for an act entitled: "An act to amend Section 434, Revised Codes of Montana, 1935, relating to oath of office, where filed."

By Dokken: A bill for an act entitled: "An act to amend Section 12 of Chapter 184 of the Session Laws of 1943 relating to duties of the Attorney General in connection with all escheated estates, authorizing and empowering the Attorney General to employ a special assistant for such purposes and fixing the salary therefor."

By Dokken: A bill for an act entitled: "An act to amend Section 2835, as amended by Chapter 162, Laws of 1937, and Section 2945 of the Revised Codes of Montana 1935 as amended by Chapter 162 of the Laws of 1937 and Chapter 184 Laws of 1947, relating to employment of attorneys or legal advisors and to costs and disbursements in proceedings or hearings before the Industrial Accident Board and payment out of industrial accident funds".

House please take notice that the Speaker is about to sign Senate Bill No. 10.

#### REPORTS OF SELECT COMMITTEES

Honorable Leo C. Graybill, Speaker, Members of the House of Representatives of the Thirty-first Legislative Assembly.

We, your Select Committee appointed to investigate the Duplications of and within State Boards and Offices in the State of Montana and its Administrative Forces, beg leave to report as follows:

Your committee reports at the outset that the scope of the task assigned to it was far beyond the possibilities of the time limit set. That we, your committee, made as thorough an investigation of the subject assigned to us as possible, and recommend that certain matters should be more thoroughly investigated with the possibility of reducing duplications. The specific suggestions we have to make are in connection with the following:

1. Mimeograph and Microfilm. It appears at present that nearly every board and office maintains a separate mimeograph machine, none of which operates full time, and some of which are unskillfully operated. The establishment of a central mimeograph center for all of the offices located in the Capitol should be considered. It is believed desirable to include in such office microfilm recording equipment whereby records could be compactly stored in a readily accessible means. It is apparent to your committee that, unless such a central office is set up in the near future, each separate board and office will attempt to secure such equipment individually.

It is held by your committee that a substantial saving in capital outlay and operating cost could be made by such a central office, and that such a service can be set up by administrative action.

2. Motor Pool. We, your committee, recommend a motor pool of state-owned cars and trucks, whereby automobiles are to be shared among and between different departments, using existing Highway Department shops, equipment and personnel, adding additional storage space wherever needed. This system worked well during the war, and should be continued under the supervision of a travel co-ordinator.

3. Creation of Districts for State Fieldmen. It is recommended that the state be segregated into several districts with one resident inspector, whose duty it shall be to make all inspections required for the checking of the purchases of the various and many licenses in compliance with the law, necessary for the operation of all types of business.

It is apparent to this committee that a large saving can be made by doing away with the very evident and unnecessary current duplication of mileage by the many inspectors now checking only one or two licenses each.

4. Weights and Measures. There are two departments which have duties with regard to weights and measures. These departments are the Department of Agriculture which does the testing of scales, and the Railroad and Public Service Commission which checks the retail gas pumps and takes samples of gasoline. The commission is also charged with the duty of testing all wholesale meters; this has not been done, and if it were enforced would require that the commission purchase two or three trucks to carry the large measuring containers necessary.

The Department of Agriculture now has two trucks which could also carry these containers and perhaps one additional truck could carry out all of these duties, which are very similar in nature, and duplicate territory covered.

5. License Department. It is the opinion of your committee that a great saving in state printing and office personnel would result from the establishment of a state licensing department under the direction of a Chief License Clerk using the same form for all licenses.

6. Overlapping between Oil Conservation Board and Railroad Public Service Commission. Under existing organization, the Oil Conservation Board and the Railroad Commission have fieldmen working in the same oil fields out of the same office, doing similar work. A consolidation of the employees and duties would not necessarily reduce the ultimate cost, but your committee recognizes that all the duties could be more efficiently and expeditiously handled from one office, and that the problem merits further study.



7. Attorneys for Boards and Offices. Many of the state boards now retain a counsel for their individual boards. Some of these are employed full time, and some on a part time basis. It seems probable that some saving could be made by consolidating some of the part time counsel into one attorney working exclusively for the State of Montana. Your committee feels unable to make a concrete suggestion in connection herewith, but feels there is ample basis for further study.

8. Bookkeeping and Accounting. There is a great deal of duplication between and within the various departments with regard to bookkeeping and accounting, much of which could be eliminated by the use of a uniform bookkeeping and accounting system, and the elimination of duplicate records and accounts in one office which are essential to and readily available in some other office. However, more study is necessary in order to formulate any definite plan for accomplishing this aim.

9. Budget and Salaries. While not lying wholly under the classification of overlapping and duplication, it has come to the attention of the committee that there are variations in salaries paid for similar services of employees in various offices of the state government. It is therefore recommended that further study be conducted with a view to standardizing qualifications, services, and salaries, and the inauguration of a civil service system for state employees. And, further, that due to the recognized inadequacies of present budget preparation, it is also recommended that study be made toward the end of determining improvements in the budget processes, and the advisability of centralized budget control.

Concluding, your committee would like to make the following observations:

(a) It is the opinion of the committee, as a result of its investigations that there is considerable duplication and overlapping of functions in the levels of the state government.

(b) We, your committee, feel that in the light of material uncovered by its study and investigations that an interim committee composed of members of the House and Senate should be set up to carry on the investigations begun by your committee.

(c) In view of the conclusions drawn by this committee, we members are submitting for the consideration of the Thirty-first Legislative Assembly a bill to create the interim committee for the further investigation of duplication and over-lapping, and

(d) Members of the Assembly, We your committee, report further that the subject investigation was conducted without the expenditure of any portion of the \$300 sum appropriated.

The Special Committee on Investigation of Duplication of State Boards and Offices.

BARNARD, Chairman.  
DWYER,  
GANSON,  
HAWKS,  
KOCH,  
McELWAIN,  
O'NEIL.

Report adopted.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Barnard, Hawks, O'Neil, Ganson, Dwyer, Koch and McElwain: A bill for an act entitled: "An act to create an Interim Legislative Com-



mittee to study duplications and overlapping of functions and duties between various departments, bureaus, boards, and offices, elective and appointive, of the government of the State of Montana; prescribing the organization, appointment, functions, duties, and powers of said committee, and appropriating a fund therefor."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 29, respectfully report as follows: That Senate Bill No. 29 be concurred in.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 be re-referred to the Committee on Townships and Counties.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 do not pass, but, that Substitute House Bill No. 163, introduced by the Committee on Revenue and Taxation; entitled: A bill for an act entitled: "An act to amend Sections 6565, 6566 and 6568 of the Revised Codes of Montana, 1935, relating to certificates and licenses of railroad and steamboat ticket agents." Do Pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do pass.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had

under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be concurred in.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 41, respectfully report as follows: That Senate Bill No. 41 be concurred in.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee of Fish and Game, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

BALLARD, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 4, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 54 by Committee on Stockgrowing and Grazing.

Senate Bill No. 55 by Committee on Stockgrowing and Grazing.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 4, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Mileage and Per Diem Committee and the same is herewith returned to the House:

House Bill No. 48 by Oliver.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 4, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 75 by Judiciary Committee.

House Bill No. 86 by Military Affairs Committee.

House Bill No. 76 by Military Affairs Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 13, 16 and 49.

WIEDMAN, Chairman.

I have examined House Bill No. 13 introduced by me and find the same to be correct.

HAWKS.

House please take notice that the Speaker is about to sign House Bill No. 13.

I have examined House Bill No. 16 introduced by me and find the same to be correct.

HAYTIN.

House please take notice that the Speaker is about to sign House Bill No. 16.

I have examined House Bill No. 49 introduced by me and find the same to be correct.

LAAS.

House please take notice that the Speaker is about to sign House Bill No. 49.

#### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 267 be taken from the Committee on Judiciary and be re-referred to the Committee on Livestock and Public Ranges. Carried.

#### INTRODUCTION OF BILLS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

#### SENATE

Senate Bill No. 54, introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 4 of Chapter 59 of the Session Laws of the Twenty-eighth Legislative Assembly of the State of Montana, relating to fees for inspection of livestock before removal from county and at licensed public livestock markets, for payment of expenses to inspectors and for the disposition of the inspection fees and expenses paid to inspectors and to clarify the legislative intent and policy of the Twenty-eighth Legislative Assembly of the State of Montana concerning the disposition of inspection fees and expenses paid to inspectors." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 55, introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 3271, Revised Codes of Montana, 1935, as amended by Section 1, Chapter 75, Laws of 1943, relating to compensation from state and county funds for animals destroyed by direction of the Montana Livestock Sanitary Board, classification of, and payment for, animals destroyed by order of said board,

on the basis of appraised value, and setting up method of appraisal, by providing for destruction upon order of the state veterinary surgeon or his deputy, of animals having certain infectious-contagious, communicable or dangerous diseases, and for classification, payment, appraisal, and a basis of appraisal, limiting amount of indemnity paid by the state, giving discretionary power to the Livestock Sanitary Board to pay limited indemnity in certain instances, and providing for the application of Chapter 164 of the Laws of 1945, in determining compensation paid by the state, where the federal government or other agency contributes to indemnity paid owner." Referred to Committee on Livestock and Public Ranges.

## HOUSE

House Bill No. 291, introduced by Williams: A bill for an act entitled: "An act to amend Section 20, of Chapter 152 of the Laws of the Twenty-ninth Legislative Assembly, 1945, relating to the state aviation fund, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Aviation.

House Bill No. 292, introduced by Gunderson, Trout, Jensen, Dusak, Holtz, Mernin, Holding, Burns, Hess and Tripp: A bill for an act entitled: "An act requiring persons, firms, or corporations operating or controlling any railroad running through or within the state to equip its track motor cars with electric headlights and red rear electric lights of certain construction and visibility, and to have the same in use during certain hours; making it unlawful to use such track motors without such rear and head lights during certain hours, providing a penalty, and repealing all acts in conflict." Referred to Committee on Railroads and Railroad Transportation.

House Bill No. 293, introduced by Domke and Bricker: A bill for an act entitled: "An act to amend Sections 2, 3, and 5 of Chapter 143, Session Laws, 1947, relating to fireworks, to define fireworks; prohibiting the sale, offering or exposing for sale and use of fireworks, except in certain cases; relating to the manner of using fireworks; providing where act does not apply." Referred to Committee on Public Safety.

House Bill No. 294, introduced by Gunderson, Holtz, Dusak, Peterson, and Beck: A bill for an act entitled: "An act to amend Section 19 (j) (6) (a) of Chapter 137, Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 164, Session Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, as amended by Chapter 233 of the Session Laws of the Twenty-eighth Legislative Assembly of the State of Montana, 1943, as amended by Chapter 190, Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, providing that the term "employment" shall not include agricultural labor, if such individual operator of a farm has not paid, in any calendar year, wages of at least four thousand dollars (\$4000.00)." Referred to Committee on Social Security.

House Bill No. 295, introduced by Gunderson, Trout, Dusak, Hess, Holding, Burns, Mernin, Holtz and Tripp: A bill for an act entitled: "An act to provide for the installation of windshields and tops on track motor vehicles operated by any railroad running through or within the state; providing a penalty and repealing all acts in conflict." Referred to Committee on Railroads and Railroad Transportation.

## CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under the rules of the previous sitting.

Mr. Speaker appointed Beck of McCone to take the Chair. Committee arose.

Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following measures, recommend:

That House Bill No. 168 be amended in Section 1 in line eleven of the printed bill after the word "him", by striking out the period (.) and the quotation mark (") and inserting in lieu thereof a semi-colon (;) and the following words:

provided, however, that this provision will not apply to school clerks in school districts of the first class", and as so amended, recommend that House Bill No. 168 do pass.

That House Bill No. 170 strike the enacting clause.

That House Bill No. 22 do pass.

That House Bill No. 219 do pass.

That Senate Amendments to House Bill No. 35 be concurred in.

That Senate Bill No. 33 be concurred in.

That Senate Bill No. 42 be concurred in.

That Senate Bill No. 41 be concurred in.

That Senate Bill No. 43 be concurred in.

That Senate Bill No. 40 be concurred in.

That Senate Bill No. 29 be concurred in.

BECK, Chairman.

Moved by Harlow that the action of the Committee on House Bill No. 168 be segregated from the report of the Committee. Carried.

Moved by Loble that further action on House Bill No. 168 be indefinitely postponed. Carried.

Report adopted.

Mr. Speaker: We your Committee on Printing do hereby report that House Bills Nos. 198, 238, 205, 193, 213 and 232 have been returned correctly printed.

O'NEIL, Chairman.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 154 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Armstrong, Ballard, Barnard, Beck, Burns, Clark (Silver Bow), Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulrone, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), and Mr. Speaker.



Ayes: Total 56.

Noes: Anderson (Phillips), Blenkner, Brenner, Bricker, Clark (Musselshell), Corcoran, Culbertson, Esp, Ewing, Frerich, Hall, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Krieg, Laas, Martin, Oliver, Peterson, Sales, Skibby, Taylor and Wilson (Judith Basin). Total 26.

Absent and not voting: Anderson (Hill), Aronow, Cotton, Cunningham, Duncan, Mernin, Phillips and Working. Total 8.

House Bill No. 142 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Barnard, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulrone, Nixon, Oliver, Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 69.

Noes: Aronow, Ganson, Hunter, Koch, McKenna, Page (Granite) and Sales. Total 7.

Absent and not voting: Anderson (Hill), Beck, Bricker, Cotton, Duncan, Esp, Frerich, Harpster, Mernin, O'Neil, Page (Missoula), Phillips, Tierney and Working. Total 14.

House Bill No. 185 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulrone, Nixon, Oliver, Peters, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 67.

Noes: Ewing, Frerich, Hall, Holding, Jensen, Karlberg, Page (Granite), Peterson, Pierce, Rostad and Taylor. Total 11.

Absent and not voting: Cotton, Cunningham, Duncan, Esp, Krieg, Mernin, O'Neil, Page (Missoula), Phillips, Tierney, Westlake and Working. Total 12.

House Bill No. 196 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke,

Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 77.

Noes: None.

Absent and not voting: Anderson (Hill), Beck, Cotton, Duncan, Gebhardt, Harpster, Krieg, O'Neil, Page (Missoula), Phillips, Tierney, Wiedman and Working. Total 13.

House Bill No. 158 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Anderson (Hill), Beck, Cotton, Duncan, Dwyer, Howard, Krieg, Phillips, Van Dyke and Working. Total 10.

House Bill No. 147 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 83.

Noes: None.

Absent and not voting: Anderson (Hill), Beck, Cotton, Duncan, Harpster, Martin, and Phillips. Total 7.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Aronow, Dwyer, Domke, Harken, McKenna, Hoiness and McElwain: A bill for an act entitled: "An act to amend Section 8933 of the Revised Codes of Montana, of 1935, as amended by Chapter 73, Session Laws of Montana, of 1945, relating to salary and expenses of stenographer-apportionment."

By Tripp, Wilson (Judith Basin), Robertson, Harpster, Michels, Ewing, Nixon, Ganson, Westlake, Peterson, Harken, Wilson (Treasure), Hawks, MacDonald, Skibby, Rostad, Martin, Peters, Esp, Scofield, Anderson (Phillips), Clark (Musselshell), Barnard, Trout and Andersen (Richland): A bill for an act entitled: "An act authorizing the state and counties to take advantage of federal activities and grants in the control and/or eradication of grasshoppers; authorizing any county of the state and the state entomologist to enter into cooperative agreements with the federal bureau of entomology and plant quarantine, division of grasshopper control; authorizing expenditure of state and county funds in payment of materials purchased by said federal bureau; creating an emergency grasshopper control fund; providing an appropriation of fifty thousand dollars (\$50,000.00); providing the manner of expenditure of said fund; defining the duties of the state entomologist, the board of examiners, and the state auditor; declaring an emergency and repealing all acts in conflict."

By Jarussi: A bill for an act entitled: "An act to authorize the boards of county commissioners of the State of Montana to assist and cooperate in the control and eradication of poisonous reptiles, and to set the amount of money which may be collected and expended therefor."

By Domke, Jensen, Hall, Loughran, Dokken and Pierce: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the attractions and amenities of the state for the biennium ending June 30th, 1951."

By Committee on Liquor Control; Tierney, Chairman: A bill for an act entitled: "An act to amend Section 2815.104, Revised Codes of Montana, 1935, relating to the state liquor control act; providing a person entering this state can have, in his possession, not to exceed one gallon of alcoholic liquor which is not purchased from a state store."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do pass.

TIERNEY, Chairman.

Report adopted.

#### MOTIONS AND RESOLUTIONS

Moved by Esp that the Speaker of the Montana House of Representatives appoint a committee, to consist of five members of the House for the purpose of investigating and studying the Montana Statutes having to do with subversive activities, and of considering the enactment of legislation under which same may be adequately dealt with, including the detection thereof; that such committee investigate the desirability or necessity of the appointment of an interim committee of the Montana State Legislature to investigate subversive and Un-American activities in Montana; and that such interim committee, if created, be adequately financed and be given sufficient power to fully investigate existing facts in connection with

subversive activities, for the purpose of reporting back to the 1951 Legislative Assembly.

I further move that the committee of five first above mentioned report its findings and recommendations to the House not later than the 45th day of the Legislative Assembly.

Substitute motion by Harlow that this motion be indefinitely postponed.

Substitute motion by Loble that a roll call vote is demanded and spread on the Journal; there being a sufficient number of seconds the following vote was taken to indefinitely postpone further action:

The substitute motion by Loble was carried by the following vote: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Culbertson, Cunningham, Domke, Dusak, Emmons, Ewing, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McElwain, McKenna, Mernin, Michels, Nixon, Oliver, O'Neil, Peterson, Robertson, Skibby, Smith, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 53.

Noes: Armstrong, Ballard, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Dokken, Duppler, Dwyer, Esp, Foley, Frerich, Gebhardt, Hall, Hawks, Loughran, McCarthy, Martin, Mulroney, Page (Granite), Page (Missoula), Peters, Pierce, Rostad, Sales, Scofield, Standish, Taber, Taylor, Tierney, Wiedman, Wilson (Treasure) and Working. Total 33.

Absent and not voting: Anderson (Hill), Cotton, Duncan and Phillips. Total 4.

Moved by Loble that the House adjourn until 10:00 A. M. tomorrow, Saturday, February 5, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 5, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Cotton, Cunningham, Duncan, Harken, Michels, Nixon and Phillips excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Thirty-third Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 39 and 153; and House Joint Resolution No. 2; and House Bills Nos. 171, 219 and 157.

VAN DYKE, Chairman.



## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tripp, Taber, Peters and Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 12 of Chapter 84, Session Laws, 1937, relating to the authorizing and licensing of the sale of liquor at retail; providing that no liquor be permitted to be consumed upon licensed premises during certain hours; to amend Section 2 of Chapter 161, Session Laws, 1943, relating to the sale of beer during closed hours forbidden; providing that no beer be permitted to be consumed upon licensed premises during closed hours."

By Tripp: A bill for an act entitled: "An act to amend Chapter 82, Part 1, Section 111 of the Session Laws of Montana passed by the Twenty-fifth Legislative Assembly of 1937 relating to the powers and duties of the State Board of Public Welfare and repealing the residence requirement for the State Administrator of Public Welfare."

By Domke and Karlberg: A bill for an act entitled: "An act to amend Chapter 293 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, providing for an increase in the minimum compensation for members of paid fire departments of cities of the first and second class and providing for the repeal of acts insofar as they are in conflict herewith."

By Loble: A bill for an act entitled: "An act to appropriate money from the general fund for the purpose of paying for digging and back filling a series of ditches for water and sewer utilities required by the Montana School of Mines in order to render veterans' housing units thereat tenable in winter emergency."

By Howard: A bill for an act entitled: "An act to amend Section 12 of Chapter 172, Session Laws, 1939, relating to electric cooperative, non-profit membership, corporations organized to engage in rural electrification by providing that the principle and main office be in the State of Montana; providing for establishment of branch offices; providing manner of changing place of principal and main office; repealing all acts in conflict."

By Cotton, O'Neil and Clark (Silver Bow): A bill for an act entitled: "An act creating the Montana High School Athletic Commission, defining the powers and duties of said commission; providing for the promulgation and enforcement of rules and regulations by said commission; providing for the appointment and fixing the salary of the state high school athletic commissioner; providing for the appointment of a board of directors; creating a state athletic fund and providing for an amusement tax to support such fund; providing for an appropriation of \$10,000.00 as a revolving fund for use of said commission; providing for reimbursement of such revolving fund from the state athletic fund; defining the terms used in this act."

By Culbertson: A bill for an act entitled: "An act to amend Section 1805.77, Revised Codes of Montana, 1935, as amended by Chapter 197, Session Laws of 1945; relating to sale of state mortgage lands, by providing for a preference to veterans of World war II, repealing all acts in conflict."

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do not pass; but that Substitute House Bill No. 167—a bill for an act entitled: "An act to amend Section 5119 of the Revised Codes of Montana of 1935 as amended by the provisions of Chapter 43 of the Session Laws of the Twenty-sixth Legislative Assembly of Mon-



tana, 1939, as amended by Chapter 159 of the Session Laws of the Twenty-ninth Legislative Assembly of 1945, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class." Do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 be amended as follows: In Section 7, Page 2 of the original bill, Line 22 following the word "any" insert the word "public."

In line 23, after the word "any" insert the word "public" and in line 24, following the word "any" insert the word "public". And as amended recommend the bill do pass.

HARLOW, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 4, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Public Lands Committee and the said bill is herewith returned to the House:

House Bill No. 19 by McElwain and Barnard.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 4, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Taxation Committee and the said bill is herewith returned to the House:

House Bill No. 83 by Domke.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble that the remaining Messages from the Senate be considered read at length and the Journal so show.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 296, introduced by Committee on Livestock and Public

Ranges: A bill for an act entitled: "An act to amend Section 3298.18 of the Revised Codes of Montana, 1935, as amended by Chapter 78, Montana Session Laws, 1941, relating to inspection and marking of hides and carcasses of slaughtered cattle; providing for inspection of carcasses and quarters of carcasses before beef or veal shall be received for storage in commercial storage lockers or commercial cold storage plants; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Livestock and Public Ranges.

House Bill No. 297, introduced by Domke, Working, O'Neil and Blenkner: A bill for an act entitled: "An act to reorganize and improve the public elementary and secondary school system of the State of Montana; providing for the creation of the Montana School Reorganization Commission and a County Redistricting Committee in each county to accomplish the territorial and administrative reorganization of the school districts of the state and defining the powers, duties and procedures of the same; providing the minimum qualifications for school districts, the methods of creating, abolishing and dissolving the same and the distribution of the property and indebtedness thereof; providing the mode and time of election of school district trustees; providing for the raising of revenues by school district and county taxes for support of the schools and payments by the state in support of such schools and school transportation within prescribed limits; providing the method of preparation, adoption and final approval of school district budgets and the method of expenditure of school funds; providing a uniform procedure for the holding of all school elections other than bond elections and elections for special tax levies; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 964; 1029.1; 1052; 1061; 1211; repealing sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 963; 986; 987; 988; 989; 990 as last amended by Section 1 of Chapter 130, Laws of 1945; 1001; 1019; 1019.1; 1019.2; 1019.3; 1019.4; 1019.5; as amended by Section 1 of Chapter 63, Laws of 1941; 1019.6 as amended by Section 2 of Chapter 63, Laws of 1941; 1019.7; 1019.8; 1019.9; 1019.10; 1019.11; 1019.12; 1019.13; 1019.14; 1019.15; 1019.18; 1019.19; 1019.20; 1019.21; 1019.23; 1019.25; 1019.26; 1020; 1021 as amended by Section 1 of Chapter 85, Laws of 1943; 1024 as amended by Section 1 of Chapter 61, Laws of 1943; 1026; 1027; 1030; 1031; 1034 as amended by Section 1 of Chapter 201, Laws of 1943; 1035; 1036; 1036.1; 1036.2; 1037.1; Section 1 of Chapter 47, Laws of 1945; 1037.4; 1037.5; 1039; 1039.7; 1186.1; Sections 1, 2, 3, 4, 5 and 6 of Chapter 152, Laws of 1941; Section 7 of Chapter 152, Laws of 1941 as last amended by Section 1 of Chapter 116, Laws of 1945; Sections 8 and 9 of Chapter 152, Laws of 1941; Section 13 of Chapter 152, Laws of 1941 as amended by Section 2 of Chapter 189, Laws of 1943, and Chapter 169, Laws of 1947; Section 14 of Chapter 152, Laws of 1941, as amended by Section 3 of Chapter 189, Laws of 1943; 1199; 1200.1; 1200.2; 1200.3; 1200.4 as last amended by Section 1 of Chapter 169, Laws of 1939; 1200.5; 1200.6; 1200.7; 1200.8; 1200.9; 1201.1; 1201.2; 1201.3 as last amended by Section 1 of Chapter 281, Laws of 1947; 1201.4; 1202; 1203 as amended by Section 1 of Chapter 51, Laws of 1945; 1204; 1205; 1219; 1220; 1221; 1222; 1223 as amended by Section 1 of Chapter 31, Laws of 1941; 1262.3; 1262.4; 1262.5; 1262.6; 1262.7; 1262.8; 1262.9; 1262.10; 1262.18; 1263.1; 1263.2; 1263.3; 1263.4 as amended by Section 1 of Chapter 64, Laws of 1941; 1263.5 as last amended by Section 1 of Chapter 280, Laws of 1947; 1263.6; 1263.9; 1263.10; 1263.11 as amended by Section 1 of Chapter 131, Laws of 1941; 1263.12; 1263.13; 1263.14; 1263.15; 1263.17; 1263.18; 1263.19; 1263.20; 1263.21; 1263.22; 1263.23; 1263.24; 1263.25; 1263.26; 1263.27; 1263.29; 1263.30; 1263.31; providing the effective dates of specific portions of this act and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

House Bill No. 298, introduced by Hunter, Karlberg, Holding, Mulroney, Page (Missoula) and Haytin: A bill for an act entitled: "An act to amend Section 5386 of the Revised Codes of Montana 1935, as amended

by Chapter 75 of the Laws of the Twenty-ninth Legislative Assembly, 1945, relating to the place where the council shall have its office; the salaries and compensation of the mayor and councilmen for cities operating under the commission form of government, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 299, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating all balances of money remaining in the several appropriations made under the provisions of House Bill No. 3, Laws of Montana of 1947, from the post war planning and construction reserve fund for the following state institutions: Eastern Montana Normal School, Billings; Montana School of Mines, Butte; Montana State College, Bozeman; Montana State Normal College, Dillon; Montana State University, Missoula; Northern Montana College, Havre; School for the Deaf and Blind, Great Falls; Industrial School for Boys, Miles City; Montana State Orphans' home, Twin Bridges; Montana State Prison, Deer Lodge; Montana Soldiers' Home, Columbia Falls; Montana State Training School, Boulder; Vocational School for Girls, Helena; Montana State Tuberculosis Sanitarium, Galen; Water Conservation Board; State Capitol; and repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act." Referred to Committee on Appropriations.

House Bill No. 300, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate to the State Board of Examiners the balances of money remaining in the post war planning and construction reserve fund on March 1, 1949, out of the appropriations heretofore made to said fund, of which not to exceed two hundred fifty thousand (\$250,000) dollars was made available for architectural and engineering costs under the provisions of Section 8, of Chapter 148, of the Session Laws of Montana of 1945; repealing all acts and parts of acts in conflict herewith and declaring this act to be valid notwithstanding the provisions of the budget act." Referred to Committee on Appropriations.

House Bill No. 301, introduced by Committee on Appropriations: A bill for an act entitled: "An act to reappropriate money appropriated from the general fund by House Bill No. 440, Laws of 1947, to supplement appropriations heretofore made to construct buildings at the Northern Montana College and the Eastern Montana State Normal College inasmuch as these funds could not be used prior to June 30, 1949." Referred to Committee on Appropriations.

House Bill No. 302, introduced by Committee on Privileges and Elections: A bill for an act entitled: "An act amending Section 646 of the Revised Codes of Montana, 1935, relating to election records, by changing the length of time ballots and records must be kept from two (2) years to one (1) year." Referred to Committee on Privileges and Elections.

House Bill No. 303, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend the following Sections of the Revised Codes of Montana, 1935, relating to the licensing of guides to wit: Section 3745, as amended by Chapter 103, Laws of 1941; Section 3746; as amended by Section 25 of Chapter 224, Laws of 1947; Section 3747, 3748, 3749 and 3750; such amendments to provide for an outfitters license in addition to a guides license, penalty for violation of act, defining a guide, defining an outfitter, requiring guides and outfitters to keep records and submit an annual report to the state fish and game warden, and making guides and outfitters equally responsible with those employing them for violation of the law, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 304, introduced by Harken, Wilson (Granite), Hawks, MacDonald, Skibby, Rostad, Martin, Peters, Esp, Scofield, Anderson (Phillips), Clark (Musselshell), Barnard, Trout, Andersen (Richland), Tripp, Wilson (Judith Basin), Harpster, Michels, Ewing, Nixon, Ganson, West-

lake and Peterson: A bill for an act entitled: "An act authorizing the state and counties to take advantage of federal activities and grants in the control and/or eradication of grasshoppers; authorizing any county of the state and the state entomologist to enter into cooperative agreements with the Federal Bureau of Entomology and Plant Quarantine, Division of Grasshopper Control; authorizing expenditure of state and county funds in payment of materials purchased by said federal bureau; creating an emergency grasshopper control fund; providing an appropriation of fifty thousand dollars (\$50,000.00); providing the manner of expenditure of said fund; defining the duties of the state entomologist, the board of examiners, and the state auditor; declaring an emergency and repealing all acts in conflict." Referred to Committee on Federal Relations.

House Bill No. 305, introduced by Dokken: A bill for an act entitled: "An act to amend Section 2835, as amended by Chapter 162, Laws of 1937, and Section 2945 of the Revised Codes of Montana 1935 as amended by Chapter 162 of the Laws of 1937 and Chapter 184, Laws of 1947, relating to employment of attorneys or legal advisors and to costs and disbursements in proceedings or hearing before the industrial accident board and payment out of industrial accident funds." Referred to Committee on State Boards and Offices.

House Bill No. 306, introduced by Dwyer and Loble: A bill for an act entitled: "An act to amend Section XI of Part III of Chapter 82 of the Session Laws of 1937, as amended by Section 1 of Chapter 178 of the Laws of 1943, as amended by Section 1 of Chapter 63 of the Laws of 1947, relating to the amount of property exempt from claim and to recover from the estate of a decedent and to claim for old age assistance, and that no claim shall be enforced against real estate in certain cases, and providing method for distribution of funds so recovered." Referred to Committee on Social Security.

House Bill No. 307, introduced by Dwyer (by request): A bill for an act entitled: "A bill to permit Peter W. Graham of Victor, Montana, to file an action at law against the State of Montana, and the Water Conservation Board of the State of Montana in Ravalli county, Montana, because and by reason of damages allegedly suffered by the said Peter W. Graham through the breaking of a dam constructed by the Water Conservation Board and under the authority of the Water Conservation Board in Ravalli county, Montana." Referred to Committee on Appropriations.

House Bill No. 308, introduced by Committee on Liquor Control: A bill for an act entitled: "An act to amend Section 2815.104, Revised Codes of Montana, 1935, relating to the state liquor control act; providing a person entering this state can have, in his possession, not to exceed one gallon of alcoholic liquor which is not purchased from a state liquor store." Referred to Committee on Liquor Control.

House Bill No. 309, introduced by O'Neil, Armstrong, Burns, Williams and Aronow: A bill for an act entitled: "An act to amend Section 1830.1, Revised Codes of Montana, 1935, relating to classification and reservation of state owned lands as state forests, by providing that any lands, interests in lands, buildings, or other property owned by the state within Glacier National Park, may be conveyed to the United States at an appraised value, without competition, in accordance with consent of the United States as expressed in Public Law 446, approved March 16, 1948, repealing all acts and parts of acts in conflict herewith, providing for the method of appraisal, and providing an effective date." Referred to Committee on State Lands.

House Bill No. 310, introduced by Dokken: A bill for an act entitled: "An act to amend Section 12 of Chapter 184 of the Session Laws of 1943 relating to duties of the attorney general in connection with all escheated estates, authorizing and empowering the attorney general to employ a special assistant for such purposes and fixing the salary therefor." Referred to Committee on Judiciary.



House Bill No. 311, introduced by Harken: A bill for an act entitled: "An act to amend Section 434, Revised Codes of Montana, 1935, relating to oath of office, where filed." Referred to Committee on Judiciary.

House Bill No. 312, introduced by Domke: A bill for an act entitled: "An act to amend Section 5090, Revised Codes of Montana, 1935, relating to when judge cannot act; providing that in such cases any duly qualified elector called in by the judge or mayor can act." Referred to Committee on Affairs of Cities.

House Bill No. 313, introduced by Domke, Jensen, Hall, Loughran, Dokken and Pierce: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the attractions and vacation advantages of the state for the biennium ending June 30, 1951." Referred to Committee on Appropriations.

House Bill No. 314, introduced by Committee on Fish and Game: A bill for an act entitled: "An act relating to game animals; empowering the State Fish and Game Commission to issue special permits for the killing or taking of certain game animals when such animals are increasing in number and damaging property; defining the terms used in this act and repealing Chapter 136 of the Session Laws of Montana of 1947; Chapter 57, Session Laws of Montana of 1947 and Section 3729.2, Revised Codes of Montana, 1935, as amended by Chapter 57 of the Session Laws of Montana of 1947; Chapter 146, Session Laws of Montana of 1945, and Section 3729.1, Revised Codes of Montana, 1935, as amended by Chapter 146, Session Laws of Montana of 1945; Section 3729.3A, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 315, introduced by Gunderson, Holtz and Dusak: A bill for an act entitled: "An act amending Section 3565 of the Revised Codes of Montana, 1935, providing for the cooperation between the division of farming and dairying of the State Department of Agriculture and the State Association of Standard Bred Poultry, in the holding of a state exhibition by such association and for the said division of farming and dairying expending each year the sum of \$1,000.00 from its budget to further aid and assist with such exhibition and determining the policy of such exhibition and making a supplemental appropriation for the fiscal years 1949 to 1950 and 1950 to 1951 therefor, and providing that this act shall be valid notwithstanding any provisions of the budget act." Referred to Committee on Agriculture.

House Bill No. 316, introduced by Krieg and Harlow: A bill for an act entitled: "An act to amend Section 1224.14 of the Revised Codes of Montana, 1935, as amended by Chapter 7, Session Laws, 1937, relating to the percentage of electors required to authorize bond issue." Referred to Committee on Education.

House Bill No. 317, introduced by Burns, Laas, Pierce, Gunderson, Standish, Trout and Hall: A bill for an act entitled: "An act to amend Section 1755, Revised Codes of Montana, 1935, as amended by Chapter 62 of the Laws of the Twenty-eighth Legislative Assembly of Montana, 1943, providing for the appointment of the registrar of motor vehicles by the state highway commission, a deputy registrar, and relating to the duties of registrar of motor vehicles and his powers, and the records to be kept by such registrar, providing for the permanent location of his office and records at the seat of government, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 318, introduced by Working: A bill for an act entitled: "An act to amend Section 1262.81 and Section 1263.8, Revised Codes of Montana as amended by Chapter 217, Session Laws of the Twenty-sixth Legislative Assembly, 1939, and as amended by Chapter 219, Session Laws of the



Twenty-eighth Legislative Assembly, 1943, all relating to attendance of high school pupils at high schools outside of the counties of their residence, the transfer of appropriations and budgeting for such pupils." Referred to Committee on Education.

House Bill No. 319, introduced by Barnard, Dwyer, Ganson, Hawks, Koch, McElwain and O'Neil: A bill for an act entitled: "An act to create an interim legislative committee to study duplication and overlapping of functions and duties between various departments, bureaus, boards, and offices, elective and appointive, of the government of the State of Montana; prescribing the organization, appointment, functions, duties, and powers of said committee, and appropriating a fund therefor." Referred to Committee on Appropriations.

House Bill No. 320, introduced by Hoiness, Clark (Silver Bow), and Gunderson: A bill for an act entitled: "An act to amend Section 5107, Revised Codes of Montana, 1935, relating to salary of chief of police; providing for an increase in the maximum salary of said officer." Referred to Committee on Affairs of Cities.

House Bill No. 321, introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana, 1935, as amended by Section 1 of Chapter 65, Session Laws, 1939, and by Section 1 of Chapter 20, Session Laws, 1941, and by Chapter 207, Session Laws, 1945, relating to leasing and sub-leasing of agricultural and grazing lands and town and city lots owned by the state by providing for a preference to veterans of World war II, providing for notice by advertising in newspaper of expiration date of said leases, providing conditions when such preference granted, and repealing all acts in conflict." Referred to Committee on State Lands.

House Bill No. 322, introduced by Hoiness, Armstrong and Harlow: A bill for an act entitled: "An act to provide for the collection of income tax at source on wages," and to amend Section 2295.25 of the Revised Codes of Montana, 1935, relating to the payment of tax, penalty, interest and refund of excess payment. Referred to Committee on Revenue and Taxation.

House Bill No. 323, introduced by Hoiness and Mulroney: A bill for an act entitled: "An act to amend Section 8890, Revised Codes of Montana, 1935, as amended by Chapter 203, Session Laws of 1939, relating to who competent to act as trial juror, and Sections 8896, 8898, 8899, 8900, Revised Codes of Montana, 1935, and Section 8901, Revised Codes of Montana, 1935, as amended by Chapter 4, Session Laws, 1947, relating to selecting and returning jurors and Section 8904, Revised Codes of Montana, 1935, as amended by Chapter 3, Session Laws, 1939, relating to drawing and summoning jurors, and repealing all acts in conflict." Referred to Committee on Judiciary.

House Bill No. 324, introduced by Bricker and Graybill: A bill for an act entitled: "An act to amend Section 1548, Revised Codes of Montana, 1935, relating to the state library; providing that the number of trustees on the historical and miscellaneous library board be increased." Referred to Committee on State Boards and Offices.

House Bill No. 325, introduced by Bricker, Hoiness and Dwyer: A bill for an act entitled: "An act to amend Section 5194 of the Revised Codes of Montana, 1935, as amended by Chapter 48 of the Laws of the Twenty-fifth Legislative Assembly, as amended by Chapter 71 of the Laws of the Twenty-ninth Legislative Assembly, relating to the limitation on amount of tax for municipal purposes, distribution of funds, levy for parks, swimming pools, playgrounds, youth centers, and other purposes; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed McElwain of Powell to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business of General Orders, recommend:

That House Bill No. 193 be passed for the day.

That House Bill No. 156 be amended in Section 1 by italicising the "person is" in line 19

and amend Section 2 by italicising the words "person is" in line 38, and as so amended, recommend that House Bill No. 156 do pass.

That House Bill No. 173 strike the enacting clause.

That House Bill No. 162 do pass.

That House Bill No. 169 strike the enacting clause.

That House Bill No. 198 do pass.

That House Bill No. 238 be passed for the day.

That House Bill No. 205 do pass.

That House Bill No. 138 do pass.

That House Bill No. 213 do pass.

That House Bill No. 232 do pass.

McELWAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 235, 234, 233, 202 have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House recess until 2:00 P. M. this day.

House resumed.

House please take notice that the Speaker is about to sign Senate Bill No. 3.

## COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bill Nos. 138 and 198.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 22.

VAN DYKE, Chairman.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 4, 1949.

Speaker,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill Nos. 16, 13 and 49.

JOHN W. BONNER, Governor.

February 5, 1949.

Speaker,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I did approve the following House measures on the dates as indicated:

House Bill No. 26, February 3, 1949.

House Bill No. 3, February 3, 1949.

House Bill No. 28, February 3, 1949.

House Bill No. 18, February 3, 1949.

House Bill No. 17, February 4, 1949.

House Bill No. 47, February 4, 1949.

House Bill No. 53, February 4, 1949.

House Joint Memorial No. 3, February 4, 1949.

JOHN W. BONNER, Governor.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Mernin: A Memorial entitled: "A Memorial of the House of Representatives of the State of Montana to the President and the Congress of the United States requesting that the federal government erect a custom smelter to eliminate the oppressive overcharges now restricting the operations of small independent mines."

By Loble and Burns: A Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the Congress of the United States, to the Honorable United States Senators James E. Murray and Zales N. Ecton, and to the Honorable Representatives in Congress, Mike Mansfield and Wesley A. D'Ewart, relating to veterans' housing."

By Loble: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the resources and amenities of the state for the biennium ending June 30th, 1951."

By Loble, Graybill and Peters: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish and operate a suitable building or buildings, to be used as a home for senile men and women; providing for the acquisition of a tract of land to be used as a site for said home for senile men and women; providing for a committee of nine to select said site for said home for senile men and women; authorizing the Board of Examiners to purchase the

site so selected by the committee; placing a time limit upon the selection of said site; authorizing the Board of Examiners to employ architects to design the said building or buildings, and authorizing the Board of Examiners to advertise and call for bids for the construction of said building or buildings; authorizing the Board of Examiners to purchase out of any remaining monies, furnishings for said building or buildings and the employment of help to operate and maintain the same; appropriating the sum of \$5,000 for the expenses of said committee; defining certain terms used in the act; providing for application and admission to the home for senile men and women; providing for the commitment to the home of senile men and women; providing for a warrant of commitment; providing for payment of expenses; providing for delivery of senile persons to the home; providing for parole of senile persons; providing penalties for false representation; providing for restoration to capacity; providing for appeals; providing for recovery from estates; providing for effective date of act and repealing all acts and parts of acts in conflict herewith."

By Harlow: A bill for an act entitled: "An act amending Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and relating to deductions in computing income."

By Mernin, Tripp and Taber: A House resolution entitled: "A House Resolution declaring that a committee of three (3) be appointed to purchase and have installed in the House Chamber an electric roll call system; declaring that the amount of sixty thousand dollars (\$60,000.-00) or so much thereof as may be necessary be drawn from the Legislative Expense Fund to carry out the provisions of this resolution."

By Esp and Scofield: A bill for an act entitled: "An act providing for establishment of per annum rental rate per section of all state grazing lands upon the animal-unit-month basis; providing the method for determining such rental rate; defining certain terms; authorizing the State Board of Land Commissioners to provide conservation requirements in certain leases; authorizing increased or decreased rentals by the State Board of Land Commissioners under certain circumstances; repealing Section 1805.25, Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207 of the Laws of 1945, and as last amended by Section 3 of Chapter 254 of the Laws of 1947; repealing Section 2 of Chapter 254 of the Laws of 1947, and all other acts and parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after the first day of July, 1950.

By Burns: A bill for an act entitled: "An act requiring policemen in cities and towns to furnish official bonds; repealing all acts in conflict."

By Harlow: A bill for an act entitled: "An act to amend Section 1201.3, Revised Codes of Montana, 1935, as amended by Chapter 132, Session Laws, 1941, as amended by Chapter 108, Session Laws, 1943, as amended by Chapter 129, Session Laws, 1945, and as last amended by Chapter 281, Session Laws, 1947, relating to state common school equalization fund and the distribution thereof."

By Smith, Holding, Holtz, Mernin, Gunderson, Foley: A bill for an act entitled: "An act to amend Section 4929 Revised Codes of Montana, 1935, relating to salaries of justices of the peace in certain townships and providing for an increase in such salaries."

By Jarussi: A bill for an act entitled: "An act to appropriate money for a supplementary budget to the Crippled Children's Division of the State Board of Health which will permit them to continue to provide medical and hospital services to crippled children for the remainder of the fiscal year 1948-1949."

By Esp and Scofield: A resolution entitled: "A Joint Resolution



expressing our profound appreciation and gratitude to the mayor and officers of the city government of Helena, Montana."

By Harlow, Robertson, Wilson (Judith Basin), Tripp, Jensen, Wiedman, Mulroney: A bill for an act entitled: "An act to amend Sections 1218.2 and 1218.6, Revised Codes of Montana, 1935, relating to promise of state to repay to the Public School Permanent Fund principal and interest at 2% from and after January 1, 1935, on farm mortgage loans made from the Public School Permanent Fund and providing manner of such payment, by providing the state agrees to repay to the Public School Permanent Fund all the interest payments lost to said Public School Permanent Fund by reason of failure of payment of farm mortgage loans, providing such amount shall be computed by the State Board of Land Commissioners, providing the time and method of payment, repealing all acts and parts of acts in conflict herewith, and providing an effective date hereof."

By Hoiness, Peters, Krieg, Pierce and Tripp: A bill for an act entitled: "An act to appropriate money for the purpose of making advance to a Dormitory Revenue Bond Fund of Eastern Montana State Normal School, such an advance to be repaid to the General Fund of the State Treasury out of said Dormitory Revenue Bond Fund when the proposed bond issue for the construction of the dormitory is retired."

By Blenkner: A bill for an act entitled: "An act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto."

By Page (Missoula), Working, Holding, Oliver, Hall, Williams and Loughran: A bill for an act entitled: "An act to amend Section 1783, Revised Codes of Montana 1935, as amended by Chapter 111 of the Laws of the Twenty-seventh Legislative Assembly of the State of Montana 1941, and as amended by Chapter 86 of the Laws of the Twenty-ninth Legislative Assembly of the State of Montana 1945, relating to the creation, salary, bond, term of office and number of members of the State Highway Commission, and repealing all acts and parts of acts in conflict herewith."

By Page (Missoula): A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State University located at Missoula, Montana, for the state's contribution to the Teachers Retirement Fund made in House Bill Number 432, Thirtieth Legislative Session, for the period beginning July 1, 1948, and ending June 30, 1949, it having been determined that such appropriation is insufficient."

By Committee on Appropriations; Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the purpose of refinishing the capitol building after certain departments of the government have moved into the new office building, for the purpose of laying new steam lines, providing ventilation and doing excavation work under the Board of Health building, and for the purpose of exchanging the Westinghouse elevator in the capitol building for a new Otis elevator."

By Committee on Appropriations; Duncan, Chairman: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1949 and ending June 30, 1951."

By Clark (Musselshell), Anderson (Hill), and Jarussi: A bill for an act entitled: "An act relating to certain coin-operated amusement machines; defining terms; providing for state licenses, license stamps and amount of license fees; authorizing incorporated cities and towns of the State of Montana to license such machines, subject to maximum fees; providing for distribution of license fees; prohibiting persons under twenty-one years of age from playing any such machines; providing generally for



the administration of this act; prescribing penalties; providing for suspension and revocation of licenses; and providing for other matters relating to this act."

By Domke: A bill for an act entitled: "An act relating to actions against the State of Montana to quiet title to real property, requiring certain allegations."

By Committee on Appropriations: Duncan, Chairman: A bill for an act entitled: "An act directing the State Board of Examiners to issue University of Montana Building Bonds of the State of Montana under the provisions of Chapter 249 of the Laws of the Thirtieth Legislative Assembly, which law was submitted to the voters of the electors of the state at the last general election and received a majority of the votes cast for and against it at said election, and which law provides that moneys derived from the sale of said bonds shall be used for the purpose of construction and equipping of necessary buildings, other permanent improvements, acquisition of necessary grounds therefore, in and about the University of Montana consisting of the six units thereof now existing, namely, Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and the Northern Montana College at Havre; providing for the serial issuance of said bonds, and limiting the use of the funds to the purpose set forth, and validating such use."

By Tripp, Mernin, Holtz, MacDonald and Burns: A bill for an act entitled: "An act to prohibit any school board member or public school administrator from dismissing or otherwise coercing any public school teacher from free exercise of religion; and providing penalties for violation of this act."

By Brenner: A bill for an act entitled: "An act to reenact Chapter 157 of the Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945, an act to provide for the assessment, levy and collection of taxes on all personal property brought, driven or coming into this state after the regular annual assessment date of such property; providing the procedure therefor; requiring owners or agents to give notice of intention to drive or bring livestock into this state or to move such property from one county to another and providing for the division and proration of taxes in certain instances."

By Tripp, Mernin, Holtz and Burns: A bill for an act entitled: "An act to hold parents and guardians civilly liable for torts of minor children."

By Tripp and Burns: A bill for an act entitled: "An act to repeal Section 2931 of the Revised Codes of Montana, 1935, relating to exemption of interstate railroads from the workmen's compensation act and amending Section 2837 of Revised Codes of Montana, 1935, relating to exemption of railroad workers from the act excluding certain defenses in personal injury actions."

By Oliver, Working, Holding, Westlake and Hall: A bill for an act entitled: "An act to amend Section 2396.3 of the Revised Codes of Montana, 1935, as amended by Chapter 102 of the Session Laws of Montana, 1937, as amended by Chapter 213 of the Session Laws of Montana, 1939, as amended by Chapter 175 of the Session Laws of Montana, 1943, as amended by Chapter 87 of the Session Laws of Montana, 1945, relating to the method for the determination and distribution of the state highway fund for construction purposes; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect."

By Working, Oliver, Holding, Westlake and Hall: A bill for an act

entitled: "An act to create a state highway study committee; providing for the appointment of the members thereof and the filling of vacancies; authorizing such committee to study and analyze all facts relating to the development and improvement of highways, roads and streets; pertaining to the governmental and engineering and administration of state highways, county roads and city streets; pertaining to engineering design standards of state highways, county roads and city streets; pertaining to a long term highway road and street improvement program; pertaining to priority systems for the programming of construction and reconstruction thereof; pertaining to pertinent economic factors in connection therewith; pertaining to the use of same by the general public and beneficiaries of the program; pertaining to plans for financing a long term highway improvement program; requiring the committee to report to the Legislative Assembly; providing that study shall be coordinate and that the committee shall prepare findings and recommendations; providing when the final report is to be filed with the governor and made available to the public; providing for public hearings and the utilization of the employees and facilities of the state highway department; providing for the powers and duties of the committee; providing for actual expenses of the committee to be paid and appropriating sufficient moneys therefor; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect."

By Working, Oliver, Holding and Hall: A bill for an act entitled: "An act to appropriate to the State Board of Equalization from the state highway fund the sum of twenty-four thousand dollars (\$24,000.00) for each fiscal year for the biennium July 1, 1949-June 30, 1951, for the purpose of employing additional field inspectors to make more effective the work of the State Board of Equalization in the examination and payment of gasoline drawbacks from the gasoline drawback fund."

By Westlake: A bill for an act entitled: "An act to appropriate money for the purpose of paying salaries, expenses and operation of the Montana State College located at Bozeman, Montana, for the period ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

By Westlake: A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State College at Bozeman, Montana, for the state's contribution to the teacher's retirement fund made in House Bill No. 432, Thirtieth Legislative Session, for the period beginning July 1, 1948 and ending June 30, 1949, it having been determined that such appropriation is insufficient."

By Mernin, Laas, Trout, Burns, Hess and Gunderson: A bill for an act entitled: "An act to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133, Montana Session Laws of 1947, relating to corporation license tax, deductions allowed in computing income, excluding certain deductions."

By Aronow and Dwyer: A bill for an act entitled: "An act to amend Section 10,400.5 of the Revised Codes of Montana, 1935, pertaining to lien and payment of inheritance tax, to provide that such lien shall expire ten years after death of transferor of property subject to such tax except in cases where estates are involved."

By Jarussi, Dusak and Karlberg: A bill for an act entitled: "An act to amend Section 5466 of the Revised Codes of Montana, 1935, to provide for annual examination by state bank examiner of cities operating under commission-manager form of government."

By Mernin, Emmons, Gunderson and Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 91 of the Session Laws of Montana of 1937, requiring licenses for the operation, maintenance, opening or establishment of moving picture theatres; relating to exemptions from

such license requirements; relating to the collection and disposition of license fees; and repealing all acts and parts of acts in conflict herewith."

By Mernin and Tripp: A bill for an act entitled: "An act to amend Section 1, of Chapter 94, of the Laws of Montana of 1937, as amended by Section 1, of Chapter 41, of the Laws of Montana of 1947, relating to a license tax on all persons, associations, or corporations, owning or operating a telephone business in this state, and repealing all acts and parts of acts in conflict herewith."

By Dwyer: A bill for an act entitled: "An act to amend Section 5 of Chapter 199 of the Session Laws of Montana, 1943, providing for the qualifications of patrolmen—salary—probationary training—discharge—demotion—suspension—hearing—and repealing all acts and parts of acts in conflict herewith."

By Emmons, Mernin, Holding, Smith, Tripp, Loble and Clark (Musselshell): A bill for an act entitled: "An act to amend Chapter 82 of the Montana Session Laws of 1937, as amended by Part IX of Chapter 5, of the Montana Session Laws of 1941, and as amended by Chapter 216 of the Montana Session Laws of 1947, by amending Sections 3, 4 and 8 of part IX of Chapter 5, of the Montana Session Laws of 1941, providing increased payments to persons having silicosis as defined in the act and by authorizing such additional appropriations as may be necessary to make such increased payments."

By Taber and Koch: A bill for an act entitled: "An act appropriating money for the payment of claims for flood damage arising from the breaking of a dam under construction by the State Water Conservation Board on Fred Burr creek in Ravalli county in the month of May, 1948, and providing for the method of proving and paying such claims."

By Tierney: A bill for an act entitled: "An act to amend Section 2815.61, Revised Codes of Montana, 1935, relating to 'definitions' of terms used in the 'State Liquor Control Act of Montana', and providing that the term 'beer' shall be defined as set forth in the Montana Beer Act by subsection (b), of Section 2815.11, as amended by Chapter 30, Laws of the Twenty-fifth Legislative Assembly of Montana, 1937."

By Tierney: A bill for an act entitled: "An act to amend Section 2815.124, Revised Codes of Montana, 1935, relating to canvassing, etc., for orders for sale of spirits, wines, and malt liquors, and advertising spirits, wines and malt liquors, and providing that the advertising of beer shall conform to the Montana beer act."

By Williams: A bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful, and defining such waste; by amending Section 3554.6, relating to employment and compensation of a secretary and other help by the board; by amending Section 3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board fund; by adding to said Chapter 305 the following sections: Section 3554.19, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the Oil and Gas Division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections

3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana of 1935."

By Mernin: A bill for an act entitled: "An act to amend Section 2620.35 of the Revised Codes of Montana, 1935, Section 2620.43 of the Revised Codes of Montana, 1935, as amended by Chapter 98 of the Laws of the Twenty-seventh Legislative Assembly of 1941, and to repeal Section 2625.1 of the Revised Codes of Montana, 1935, relating to oleomargarine."

By Hall: A bill for an act entitled: "An act relating to the sale of wine by food and grocery stores after procuring a license from the Montana Liquor Control Board for retail sale, said wine to be consumed off the premises where sold, length of time for which license shall issue, cost of the license to be issued, and qualifications of licensee; providing that said licensee shall purchase said wine from the Montana Liquor Control Board; repealing all acts or parts of acts in conflict herewith, and providing for the effective date of this act."

By Tierney and Foley: A bill for an act entitled: "An act relating to the creation and establishment of a state board to be known as the Montana Resources Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for a supplemental appropriation for money out of the state treasury not otherwise appropriated for the purposes in this act expressed; giving authority to said board to contract."

By Emmons and Tripp: A bill for an act entitled: "An act to amend Section 2953 of the Revised Codes of Montana, 1935, as amended by Chapter 62, Section 3, of the Laws of Montana, passed by the Twenty-fifth Legislative Assembly of 1937, relating to fees of persons representing claimants in proceedings before the Industrial Accident Board; and to repeal all acts and parts of acts in conflict herewith."

By Loughran: A House Joint Resolution entitled: "A resolution to the Montana State Highway Commission to expedite the construction of that portion of the state highway between the city of Butte, Montana, and Nissler, Montana."

By Dwyer (By Request): A bill for an act entitled: "An act to reappropriate money from the General Fund by House Bill Number 432, Laws of 1947, for the purchase of the Lee House surrounded by the campus of the Montana School of Mines located at Butte, Montana, inasmuch as these funds cannot be used prior to June 30, 1949."

By Burns, Jarussi, MacDonald, Clark (Musselshell), Koch, Mernin, Tripp, Emmons and Anderson (Hill): A bill for an act entitled: "An act to establish the Veterans Rehabilitation Service; providing for the appointment of a director; fixing his compensation, powers and duties; establishing seven districts in the state and providing for the appointment of directors thereof; fixing their salaries and establishing their qualifications; providing for the employment of additional assistance if needed; prescribing the powers and duties of the service and its agents; providing for bi-annual meetings with veterans and veterans' organizations' representatives; authorizing the service to provide a seal and designating certain employees to take oaths and acknowledgements; transferring records, property and appropriations of the Veterans Welfare Commission; requiring certain public officers to co-operate with and assist the service; prohibiting certain acts; providing for travel allowances; providing for severability; repealing Chapter 3 of the Laws of 1945 and all of the acts or parts of acts in conflict herewith."

By Trout, Culbertson, Harlow, Jarussi, Anderson (Hill), Barnard, Michels, MacDonald, Jensen and Hoiness: A bill for an act entitled: "An



act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XI of the Constitution of the State of Montana, relating to the apportionment of income from public school funds to the several school districts of the state and providing that districts with kindergartens receive apportions on the basis of the number of children between the ages of five (5) and twenty-one (21) years residing therein."

By Gunderson: A bill for an act entitled: "An act to amend Section 5108.15, Revised Codes of Montana, 1935, relating to days off duty without loss of compensation for members of the police force in cities of the first and second class."

By Harlow, Holtz and Robertson: A bill for an act entitled: "An act to amend Section 4465.20, Revised Codes of Montana, 1935, relating to publication of proceedings, list of claims, financial statement; providing for posting of list of claims paid and summary of minutes and records at adjournment of each session; repealing all acts in conflict."

By Emmons, Hess, Anderson (Hill), Clark (Musselshell), Burns, O'Neil, Smith, Karlberg, Mernin, and Holding: A bill for an act entitled: "An act to repeal Section 2819 of the Revised Codes of Montana, 1935, relating to the creation of the Industrial Accident Board; repealing Section 2820 of the Revised Codes of Montana, 1935, relating to the vacancy in office and removal of the appointive member of the board; repealing Section 2823 of the Revised Codes of Montana, 1935, relating to the Commissioner of Labor and Industry and the State Auditor receiving no additional compensation for duties upon Industrial Accident Board; repealing Section 2878 of the Revised Codes of Montana, 1935, relating to the definition of the term "board"; repealing Section 3000 of the Revised Codes of Montana, 1935, relating to the investment of reserve funds of the Industrial Accident Board; creating the State Industrial Accident Board of the State of Montana, prescribing its members, the compensation of the appointed member and the term of office of said member, and providing for the appointment of one member by the Governor for a period of four years by and with the consent of the senate; making the State Treasurer a member of, and the Treasurer of the board; providing for the filling of a vacancy in the office of the appointed member; providing that the Commissioner of Agriculture, Labor and Industry and State Treasurer, as ex-officio members of the State Industrial Accident Board of the State of Montana shall receive no additional compensation; providing for the filing of affidavits of attendance at meetings, or excuse for failure so to do, as a condition for the payment of their respective salaries; prescribing the investment of reserve funds by the board and setting up the Industrial Reserve Fund; defining the term "board"; providing for succession to the powers and duties of the Industrial Accident Board of the State of Montana; repealing all acts and parts of acts in conflict herewith; and providing the effective date for this act."

By O'Neil (By Request): A bill for an act entitled: "An act to amend Section 2851 of the Revised Codes of Montana, 1935, as amended by Chapter 88 of the Session Laws of Montana, 1945; relating to workmen's compensation specifying classes of employees to be covered, permitting cities and towns to elect to come under plan two, applications of the act to city and town employees drawing benefits from other acts; repealing all acts and parts of acts in conflict herewith."

By Jarussi: A bill for an act entitled: "An act to levy a placement tax on mail order catalogues, defining placement tax and mail order catalogue and prescribing the method of calculating and levying such tax, and providing for the administration of this act and penalties for the violation thereof."

By Ballard: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income taxes and deductions, allowing an additional deduction for payment of alimony."



By Gebhardt, Pierce, Krieg, Hoiness and Peters: A bill for an act entitled: "An act to amend Section 5040.1 R. C. M., 1935, to provide that city council of any city having a population in excess of 20,000 or more, may establish water rates for non-resident users without approval of the Public Service Commission."

By Gunderson and Holtz: A bill for an act entitled: "An act to amend Section 4238 of the Revised Codes of Montana, 1935, relating to the duties of the State Sealer, providing for supervision of installation and use of weighing devices and apparatus; repealing all acts in conflict."

By Hoiness and McElwain: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana, providing for notice before the issuance of a license to city clerk and board of county commissioners."

By Taber, Oliver, Duppler, Scofield, Brenner, Hall, Ewing, Howard, Ballard, Clark (Silver Bow), and Esp: A bill for an act entitled: "An act to amend Section 2296 of the Revised Codes of 1935 of the State of Montana, as amended by Chapter 92 of the Session Laws of 1937 of the State of Montana, and to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133 of the Session Laws of 1947 of the State of Montana, relating to corporation license tax exemptions and the deductions allowed in computing income as relates to co-operatives, and repealing all acts and parts of acts in conflict herewith."

By Mulroney (By Request): A bill for an act entitled: "An act to require title insurance companies to maintain a set of abstract books approved by the Montana Abstracters Board of Examiners in each county of the state in which said title insurance company does business and to further provide that each such abstract plant herein provided for be under the supervision of a registered abstracter."

By Wilson (Judith Basin), Peterson, Tripp, Taber and Mernin: A bill for an act entitled: "An act to prohibit any retail grocery store from selling beer, wine, or intoxicating liquors."

By MacDonald, Clark (Musselshell), Beck, Barnard, Anderson (Phillips), Peterson, Wilson (Judith Basin), Harpster, Skibby, Page (Granite), and Nixon: A bill for an act entitled: "An act providing for the licensing and bonding, by the Livestock Commission of the State of Montana of all persons engaged in the business of buying and/or selling livestock of any kind or description for commission or speculation, excepting those who are primarily engaged in the raising or feeding of livestock bought or sold; providing a penalty for violation thereof."

By Aronow: A bill for an act entitled: "An act providing a special levy in cities and towns to cover advanced engineering costs for anticipated civic projects when budgets are insufficient and when bond issues fail to take care of same and specifying limitations thereto; repealing all acts and parts of acts in conflict herewith."

By Mernin, Tripp, Gunderson, Dusak, Holtz, Harpster, Peterson, Laas, Barnard, Anderson (Hill), Hess, Clark (Musselshell), Beck, Harlow, Van Dyke, Trout, Andersen (Richland), Burns and MacDonald: A Joint Memorial entitled: "A memorial to the President and Congress of the United States requesting that publicly constructed power plants be used for the benefit of the public and that co-operative distributors be allowed priority in obtaining power therefrom."

By Tripp, Clark (Musselshell), Gunderson, Mernin, Trout and Mac-

Donald: A bill for an act entitled: "An act relating to allowance for disfigurement awards under the workmen's compensation act; providing that additional awards be made by the Industrial Accident Board in cases of loss of earning capacity and providing maximum limits on such awards."

By Tripp, Taber, Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 3697, of the Revised Codes of Montana, 1935, changing the open season for deer from the third Saturday in October to the third Saturday in November, and the closed season for deer shall begin the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli county the open season be from the fourth Saturday in September to the fourth Saturday in October."

By Krieg, Hall, and Working: A Joint Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of Montana, to Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, opposing S 472, 80th Congress, 2nd Session, and all similar proposals for federal grants in aid for education."

By Koch: A bill for an act entitled: "An act to amend Section 3685, Revised Codes of Montana of 1935, as amended by Chapter 215 of the Laws of the Thirtieth Legislative Assembly of 1947, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and authorizing the State Fish and Game Commission to set aside for the feed and care of elk and to reimburse property owners for damage to or destruction of private property, and repealing all acts and parts of acts in conflict therewith."

By Domke: A bill for an act entitled: "An act to repeal Section 8 of Chapter 163, Montana Session Laws of 1939, relating to half year rates for store licenses."

By Peterson, Hunter, Gunderson, Anderson (Phillips), Karlberg, Hess, Jarussi, Harlow, Holtz, Burns, Barnard, Tripp, Beck, Holding, Anderson (Hill), Andersen (Richland), Dusak and Mernin: A bill for an act entitled: "An act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing the method of letting such insurance by bid, and qualifying insurers, limiting period of insurance; providing for the gradual decrease of such insurance and for the gradual accumulation of a state fire insurance fund; providing for the investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund; providing for re-insurance when needed, and for restoration of the fund by appropriation if needed."

By Committee on Fish and Game, Ballard, Chairman: A bill for an act entitled: "An act regulating fishing from boats on certain portions of the Big Hole river and on certain portions of the Madison river, making it unlawful to fish from boats in portions of these streams and providing a penalty for violation of the act."

By McCarthy: A bill for an act entitled: "An act to amend Section 11164, Revised Codes of Montana, 1935, relating to gambling; providing a penalty for second offense, by excepting therefrom a violation of the provisions of Section 11159, Revised Codes of Montana, 1935, as amended, and repealing all acts in conflict."

By Hess, Brenner, Dwyer, and Page (Missoula): A bill for an act entitled: "An act to appropriate money from the General Fund of the State of Montana for salaries of personnel of the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Sub-Stations, Extension Service, Montana School

of Mines, Montana State Normal College at Dillon, Eastern Montana Normal School at Billings, and Northern Montana College at Havre for the period beginning January 1, 1949, and ending June 30, 1949."

By Peters, Rostad, Hawks, Esp, Scofield and Anderson (Phillips): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIX of the Constitution of the State of Montana, relating to lotteries, by prohibiting the Legislative Assembly from enacting laws permitting gambling or games of chance."

By Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating licensing and sale of liquor at retail in the State of Montana and requiring that prior to the issuance of a license by the Montana Liquor Control Board that the County Commissioners or city council be informed twenty days in advance; and repealing all acts and parts of acts in conflict herewith."

By Tripp: A bill for an act entitled: "An act to amend Section 3 of Chapter 26, Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, to limit the issue of liquor licenses applied for outside of cities and towns and surrounding five mile area; and repealing all acts and parts of acts in conflict herewith."

By O'Neil (By Request): A bill for an act entitled: "An act relating to abstractors and to the business of abstracting; defining the qualifications of abstractors and requiring their registration; prescribing the license fee to be paid by the applicant or the abstractor; requiring the filing of a bond, or securities in lieu thereof, and prescribing its form, penalty and amount; designating a seal to be used; fixing the penalties for the violation of this act and repealing Chapter 319 of the Revised Codes of Montana, 1935, as amended and all acts and parts of acts in conflict herewith and excepting from the provisions of this act county clerk and recorders and persons employed by counties in preparation of abstracts."

By Tripp: A bill for an act entitled: "An act to amend Section 11169 of the Revised Codes of Montana, 1935, relating to the duty of public officers to make complaints against gamblers and providing that actions to recover gambling losses may be brought against public officers knowing or reasonably having knowledge of existence of gambling; providing defenses for such public officers and repealing all acts and parts in conflict herewith."

By Krieg and Hoiness: A bill for an act entitled: "An act to establish a foundation program of elementary and high school education and to equalize the distribution of funds to support said foundation program: creating a State Public School Equalization Fund and providing for the administration thereof: Providing for the raising of revenues by school district and county taxes for support of the schools and for payments by the state in support of such schools within prescribed limits: providing for applications for approval as isolated schools and for action thereon by the County Budget Board, County Superintendent of Schools and State Superintendent of Public Instruction: providing restrictions upon the amount of expenditures in school budgets: providing the method of distribution and apportionment of school funds: providing for elections to vote upon extra levies: providing for exports by the State Board of Equalization: amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1019.9, 1019.19, 1219, 1263.3, 1263.6 as amended by Section 1, Chapter 280, Laws of 1947, and Section 1263.19, and repealing all acts and parts of acts in conflict with this act."

By Domke and Jensen: A bill for an act entitled: "An act creating the Montana Resources Development Board, defining its powers and duties and making an appropriation to defray the cost and expense of said board."

By Taylor and Oliver: A bill for an act entitled: "An act to amend Section 3228.29, Revised Codes of Montana 1935, as amended by Section 4 of Chapter 183 of the Session Laws of Montana, 1937, as amended by Section 6 of Chapter 150 of the Session Laws of Montana, 1939, relating to fees to be paid by apprentices, students, barbers, and barber shops; and repealing all acts and parts of acts in conflict herewith."

By Standish, Oliver and Clark (Silver Bow): A bill for an act entitled: "An act to amend Sections 12103 and 12104 of the Revised Codes of Montana, 1935, relating to judgment of death; providing that the same shall be inflicted at a centrally located point in the state herein designated for that purpose; providing as to who may attend; providing for execution under the supervision of the state warden and sheriff; and providing for the return of the sheriff of the county upon the death warrant showing the execution thereof."

By Koch: A bill for an act entitled: "An act to amend Section 3729.1 of the Revised Codes of Montana of 1935, as amended by Chapter 146 of the Laws of the Twenty-ninth Legislative Assembly of 1945, relating to the power of the State Fish and Game Commission to dispose of elk increased in numbers and damaging property, and authorizing the said commission to provide for the feed and care thereof, and to reimburse property owners for damage to or destruction of private property; providing for an appropriation therefor."

By Emmons: A bill for an act entitled: "An act to amend Section 162 of the Revised Codes of Montana 1935, relating to the transfer of all the powers and duties of the Commissioner of Insurance now under the supervision and control of the State Auditor to the office of the State Examiner and the powers and duties heretofore exercised by said State Auditor shall be exercised and performed by the State Examiner and that the present incumbent of the office of State Auditor go hence without pay."

By Bricker and Graybill: A bill for an act entitled: "An act providing for the creation of a Code Commission and a Code Commissioner; defining their powers and duties and fixing the compensation of the Code Commissioner; and making an appropriation of money to carry out the provisions of this act."

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do not pass, but that Substitute House Bill No. 111: A bill for an act entitled: "An act providing for the further conservation and protection of forests and forest lands; providing for the method or methods of slash and debris treatment, Sections 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, as heretofore amended." do pass.

ALLEN GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do pass.

ALLEN GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 110, respectfully report as



follows: That House Bill No. 110 do pass and be re-referred to the Appropriations Committee.

ALLEN GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 be amended as follows: Section 1, Line 18, the word "eight cents" be changed to "seven cents" and the numeral (8c) be changed to (7c), and as amended, recommend that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 be amended as follows: Section 1, Line 10, Page 2, the word "eight" be stricken and the word "seven" be put in and the numeral (8) be stricken and the numeral (7) put in. And as amended, recommend that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 be amended as follows: Page 1, Section 1, Lines 18, 19, 20 and 21, striking out part from word "effect" on line 18, all of line 19, 20 and word "provided" in line 21. And as amended, recommended that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be concurred in.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 271 respectfully report as follows: That House Bill No. 271 do pass.

NIXON, Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

COMMITTEE ON FISH AND  
GAME.

BALLARD, Chairman.

Report adopted.

Substitute Motion by Duppler that House Bill No. 276 be printed and placed on General Orders. Motion lost.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do not pass.

COMMITTEE ON FISH AND  
GAME.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 be re-referred to Committee on Judiciary.

ALLEN GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 as amended do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 as amended do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, the Majority on Social Security having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 be amended as follows: In Section 1, Page 2, under subsection (b), Lines 29 and 30, by striking out the words "twenty-five dollars (\$25.00)" and inserting in lieu thereof, the words "twenty dollars (\$20.00)", and by striking out the words "nine dollars (\$9.00)" and inserting in lieu thereof the words "seven dollars (\$7.00)".

In Section 1, Pages 2 and 3, by striking out all of subsections (c) and (d).

In Section 1, Page 4, Line 4, by striking out the words "twenty-six (26)" and inserting in lieu thereof, the words "twenty (20)".

By striking out all of Sections 2 and 3.

By changing Section 4, Page 9, Line 11, to read "Section 2".

By changing Section 5, Page 9, Line 18, to read "Section 3".

By changing Section 6, Page 9, Line 20, to read "Section 4".

By amending the title of the bill, beginning in Line 16, Page 1, by striking the following words: "and allowing additional benefits for dependents; providing for benefit eligibility conditions; and providing for and governing contributions made by employers and eliminating chargebacks as a factor in making classifications for experience rating;" and as amended do pass.

PIERCE,  
BALLARD,  
FOLEY,  
OLIVER,  
STANDISH,  
KARLBERG,  
HUNTER,  
SALES.

Committee on Social Security.

Mr. Speaker: We, the Minority on Committee on Social Security having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 be amended as follows:

By amending the title on Page 1, Line 18, by striking out the words "and providing for and governing contributions made by employers and eliminating chargebacks as a factor in making classifications for experience rating;"

By amending Section 1, Page 2, under subsection (b) Lines 29 and 30, by striking out the words "twenty-five dollars (\$25.00)" and inserting in lieu thereof, the words "twenty-two (\$22.00)", and by striking out the words "nine dollars (\$9.00)" and inserting in lieu thereof the words "seven dollars (\$7.00)".

By amending Section 1, Page 2, under subsection (c), Line 32, by striking out the word "Dependency" and inserting in lieu thereof the word "Dependents".

By amending Section 1, Page 4, under subsection (f), Line 4, by striking out the words "twenty-six (26)" and inserting in lieu thereof, the words "twenty (20)".

By amending Section 3, Page 7, subsection (C), Line 7 by striking out the period and inserting a semicolon and adding the words "and (3) chargebacks to the individual employer account upon the last employer basis."

And as amended, do pass.

MERNIN,  
DUSAK,  
TRIPP.

Moved by Pierce of Yellowstone that the Majority Report be adopted.

Moved by Mernin as a substitute motion that the report of the Minority be adopted and a demand made for a roll call vote. There being sufficient number of seconds for roll call and Journal entry, the following roll call was taken.

Ayes: Anderson (Hill), Aronow, Barnard, Beck, Burns, Clark (Musselshell), Domke, Duncan, Dusak, Emmons, Goodgame, Gunderson, Harlow, Holding, Hess, Holtz, Jarussi, Jensen, Koch, Laas, Loble, MacDonald, McCarthy, Mernin, O'Neil, Peterson, Robertson, Smith, Tierney, Tripp, Trout, Wilson (Judith Basin), Mr. Speaker. Total, 33.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Blenkner, Brenner, Bricker, Clark (Silver Bow), Dokken, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Karlberg, Krieg, Loughran, McElwain, Martin, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Pierce, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total, 48.

Absent and not voting: Corcoran, Cotton, Culbertson, Cunningham, Harken, McKenna, Michels, Phillips, Sales. Total, 9.

Motion lost.

Report of the Majority adopted.

### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 171 be taken from Third Reading and be re-referred to the Committee on Education. Carried.

Moved by Loble that House Bill No. 22 be taken from Third Reading and passed for the day. Motion lost.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Amendment to House Bill No. 35 was passed by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Working, Mr. Speaker: Total, 68.

Noes: None.

Absent and not voting: Barnard, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Duncan, Ewing, Gunderson, Hall, Harken, Hunter, MacDonald, McKenna, Michels, Nixon, Peters, Peterson, Phillips, Pierce, Sales, Wilson (Treasure). Total, 22.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill No. 65, House Joint Memorial Nos. 2 and 5.

WIEDMAN, Chairman.

I have examined House Joint Memorial No. 2 introduced by me and find the same to be correct.

NIXON.

House please take notice that the Speaker is about to sign House Joint Memorial No. 2.

I have examined House Joint Memorial No. 5 introduced by me and find the same to be correct.

ARONOW, Chairman Committee  
on Petroleum, Oil and Gas.

House please take notice that the Speaker is about to sign House Joint Memorial No. 5.

I have examined House Bill No. 65 introduced by me and find the same to be correct.

ARONOW.

House please take notice that the Speaker is about to sign House Bill No. 65.

House Bill No. 22 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Oliver, O'Neil, Page (Granite), Peters, Pierce, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Mr. Speaker. Total, 65.

Noes: Goodgame, Hall, Holding, Karlberg, Koch, Mulroney, Page (Missoula), Robertson, Tripp, Wilson (Judith Basin), Working. Total, 11.

Absent and not voting: Anderson (Phillips), Corcoran, Cotton, Culbertson, Duncan, Frerich, Gunderson, Harken, McKenna, Michels, Nixon, Peterson, Phillips, Sales. Total, 14.

House Bill No. 39 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Ganson, Gebhardt, Goodgame, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total, 74.

Noes: Burns. Total, 1.

Absent and not voting: Corcoran, Cotton, Culbertson, Duncan, Dwyer, Foley, Frerich, Gunderson, Harken, McKenna, Michels, Peterson, Phillips, Sales, Tierney. Total, 15.

House Bill No. 138 was killed by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Brenner, Bricker, Clark (Silver Bow), Cunningham, Dokken, Duppler, Dwyer, Esp, Ewing, Frerich, Ganson, Gebhardt, Hall, Harpster, Haytin, Howard, Hunter, Jarussi, Laas, Loble, Loughran, McElwain, Martin, Mernin, Nixon, Pierce, Rostad, Skibby, Smith, Tierney, Williams, Wilson (Treasure), Domke. Total, 37.

Noes: Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Dusak, Emmons, Foley, Goodgame, Harlow, Hawks, Holding,

Hess, Hoiness, Holtz, Jensen, Karlberg, Koch, Krieg, MacDonald, McCarthy, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Robertson, Scofield, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Judith Basin), Working, Mr. Speaker. Total, 41.

Absent and not voting: Corcoran, Cotton, Culbertson, Duncan, Gunderson, Harken, McKenna, Michels, Peterson, Phillips, Sales, Taylor. Total, 12.

House Bill No. 219 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Skibby, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Anderson (Hill), Mr. Speaker. Total, 69.

Noes: None.

Absent and not voting: Aronow, Blenkner, Corcoran, Cotton, Culbertson, Duncan, Frerich, Gunderson, Hall, Hess, Koch, McElwain, McKenna, Martin, Michels, Peterson, Phillips, Sales, Smith, Taylor, Wiedman. Total, 21.

House Bill No. 157 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Domke, Duppler, Dusak, Emmons, Esp, Ewing, Gebhardt, Goodgame, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Hunter, Jarussi, Jensen, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Mernin, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Smith, Standish, Tripp, Trout, Westlake, Wiedman, Wilson (Judith Basin), Mr. Speaker. Total, 50.

Noes: Anderson (Phillips), Anderson (Hill), Brenner, Burns, Clark (Musselshell), Dwyer, Foley, Ganson, Holding, Hess, Karlberg, Koch, Martin, Mulroney, Page (Granite), Skibby, Taber, Van Dyke, Williams, Wilson (Treasure), Working. Total, 21.

Absent and not voting: Corcoran, Cotton, Culbertson, Cunningham, Dokken, Duncan, Frerich, Gunderson, Hall, Harken, Howard, McElwain, McKenna, Michels, Peterson, Phillips, Sales, Taylor, Tierney. Total, 19.

House Joint Resolution No. 2 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Lass, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total, 70.

Noes: None.

Absent and not voting: Armstrong, Barnard, Corcoran, Cotton, Cul-



bertson, Duncan, Gunderson, Hall, Harken, McElwain, McKenna, Michels, Peterson, Phillips, Sales, Standish, Taylor, Van Dyke, Wiedman, Working. Total, 20.

House Bill No. 153 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Mr. Speaker. Total, 73.

Noes: None.

Absent and not voting: Armstrong, Corcoran, Cotton, Culbertson, Gunderson, Harken, Haytin, McElwain, McKenna, Michels, Peterson, Phillips, Sales, Taylor, Wiedman, Wilson (Treasure), Working. Total, 17.

House Bill No. 198 was killed by the following vote:

Ayes: Andersen (Richland), Armstrong, Aronow, Ballard, Clark (Silver Bow), Domke, Dusak, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Gunderson, Hunter, Jarussi, Jensen, Koch, Loble, Loughran, McCarthy, Martin, Mernin, Mulrone, Page (Missoula), Pierce, Scofield, Smith, Trout, Wilson (Treasure). Total, 30.

Noes: Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Cunningham, Dokken, Duncan, Duppler, Frerich, Goodgame, Hall, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Karlberg, Krieg, Laas, MacDonald, Nixon, Oliver, O'Neil, Page (Granite), Peters, Robertson, Rostad, Skibby, Standish, Taber, Tripp, Van Dyke, Williams, Wilson (Judith Basin), Working, Mr. Speaker. Total, 44.

Absent and not voting: Corcoran, Cotton, Culbertson, Emmons, Harken, Haytin, McElwain, McKenna, Michels, Peterson, Phillips, Sales, Taylor, Tierney, Westlake, Wiedman. Total, 16.

## INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 326, introduced by Pierce, Hawks and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section Three, Chapter 279, of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana for the year 1947, relating to fire escapes on hotels, night clubs, boarding or rooming houses, apartments, dormitories, office buildings, theaters, gymnasiums, any place of public amusement or used for public gathering, colleges, schools, stadiums, amphitheaters, factories, hospitals, motor courts, tourist inns, cabins, asylums, sanitariums, and all other places where large numbers of persons work, sleep, live, or congregate from time to time for any purpose; excepting private residences from the provisions of the act; repealing all acts and parts of acts in conflict therewith; providing for the effective date of the act." Referred to Committee on Public Safety.

House Bill No. 327, introduced by Koch: A bill for an act entitled: "An

act to amend Section 10400.32, Revised Codes of Montana, 1935, relating to special administration to determine tax where transfers were made in contemplation of death." Referred to Committee on Judiciary.

House Bill No. 328, introduced by Koch: A bill for an act entitled: "An act to amend Section 10400.51 of the Revised Codes of Montana, 1935, relating to duties of County Clerk in checking records and transfers, and reports to the State Board of Equalization, and for filing a copy thereof for record." Referred to Committee on Judiciary.

House Bill No. 329, introduced by Committee on Fish and Game: A bill for an act entitled: "An act amending Section 3655, Revised Codes of Montana, 1935, as amended by Chapter 87 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden, his qualifications, salary and duties; amending Section 3664, Revised Codes of Montana, 1935, Providing for the appointment and bond of the Superintendent of State Fisheries; amending Section 3665, Revised Codes of Montana, 1935, as amended by Chapter 86 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the salary and expenses of the Superintendent of Fisheries; amending Section 3666, Revised Codes of Montana, 1935, Enumerating the powers and duties of the Superintendent of State Fisheries; amending Section 3671, Revised Codes of Montana, 1935, as amended by Chapter 85 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden and the employment of clerks and stenographers, providing for the employment of professional legal assistance for the commission and the State Fish and Game Warden; and permitting the Fish and Game Warden, with the consent of the commission to establish department divisions and employ necessary personnel; amending Section 3673, Revised Codes of Montana, 1935, requiring reports of the State Fish and Game Warden and of the commission; repealing all acts or parts of acts in conflict herewith; and providing for the effective date of this act." Referred to Committee on Fish and Game.

House Bill No. 330, introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the Governor of the State of Montana to appoint a Fish and Game Committee of three members to examine and revise the fish and game laws of the State of Montana; to prepare its recommendations for revision of the fish and game laws of the State of Montana and embody the same in a proposed legislative act to be submitted to the Governor on or before July 1, 1950; and that said act so prepared be presented by the Governor to the legislature of the State of Montana at the Thirty-second Legislative Session, for its consideration; defining the powers and duties of said committee, limiting the number of meetings and providing for public hearings; providing for the payment of expenses in furtherance of this act; limiting the total amount to twenty-five hundred dollars to be paid out of the Fish and Game Fund, on approval of the Fish and Game Commission, and audit by the Board of Examiners; and appropriating said twenty-five hundred dollars from said fund; providing for the attendance of said committee at the Thirty-second Legislative Assembly of the State of Montana before the fish and game committees of the House and Senate; providing the termination date of said committee; repealing all acts in conflict herewith, and providing for the effective date of this act." Referred to Committee on Fish and Game.

House Bill No. 331, introduced by Loble, Emmons and Burns: A bill for an act entitled: "An act to amend Section 4, of Chapter 204, Laws of the Twenty-ninth Legislative Assembly of 1945, and to appropriate an additional \$350,000 out of any monies in the General Fund in the State Treasury not otherwise appropriated for the purpose of constructing and furnishing the 'Montana Veterans' and Pioneers' Memorial Building' mentioned in said Chapter 204, of the Laws of 1945; and to re-enact all of the remainder of said Chapter 204, Laws of 1945, providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 332, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 6548, Revised Codes of Montana, 1935, relating to the handling and disposal of carcasses and hides of animals killed by any corporation, association, company, person, or persons; by providing how such corporations, associations, companies, or persons may dispose of such carcasses and hides to any licensed rendering plant or renderer, if the owner shall not claim the same; providing for notification to owner, if ownership is ascertainable; providing for inspection of such hides and manner of disposal thereof; repealing all acts and parts of acts in conflict herewith, and providing this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Livestock and Public Ranges.

House Bill No. 333, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act providing for the method of handling and accounting for dead or fallen animals by licensed renderers, defining terms, prescribing a dead or fallen animal record and setting out its function and uses, providing for disposal of hides of such dead or fallen animals in accordance with the provisions of Chapter 177 of the Laws of 1939, providing penalties for violation of this act, repealing all acts or parts of acts in conflict herewith, and establishing an effective date hereof." Referred to Committee on Livestock and Public Ranges.

House Bill No. 334, introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act providing for licensing of rendering or disposal plants; revocation of such licenses by the Livestock Sanitary Board or by the State Veterinary Surgeon; a method of appeal by the licensee from such revocation; hearing by the district court; payment of such license fees into the General Fund of the State of Montana; promulgation by the Livestock Sanitary Board of reasonable rules and regulations and orders and the scope thereof; and providing for restraint of the operation of any rendering or disposal plant by the Livestock Sanitary Board or its agent, with notice, except where a menace to public health requires immediate and summary abatement; and providing a method of appeal by the licensee from such restraining order; hearing by the district court; and providing a penalty; and providing for the repeal of all acts and parts of acts in conflict herewith, and for an effective date." Referred to Committee on Livestock and Public Ranges.

House Bill No. 335, introduced by Jarussi: A bill for an act entitled: "An act to authorize the boards of county commissioners of the State of Montana to assist and co-operate in the control and eradication of poisonous reptiles, and to set the amount of money which may be collected and expended therefor. Referred to Committee on Public Safety.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tierney: A bill for an act entitled: "An act to amend Section 2222, Revised Codes of Montana, 1935, as amended by Chapter 201, Session Laws, 1939, relating to refund of taxes, repealing all acts in conflict."

By Tripp and Peterson: A bill for an act entitled: "An act to amend Section 3696 of the Revised Codes of Montana, 1935, changing the open season for elk from the third Saturday in October to the Third Saturday in November and the closed season for elk from the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli County the open season be from the fourth Saturday in September to the fourth Saturday in October."

By Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 153 of the Laws of the Twenty-fifth Legislative Assembly of the



State of Montana, and to amend Section 11159 of the Revised Codes of the State of Montana of 1935, relating to the proposition of card games and for distribution of the license fees thereof to state, county and incorporated cities and towns: Providing for administration and enforcement of the act by the State Board of Equalization and law enforcement officers: prohibiting persons under 21 years of age from playing card games: providing penalties for violations of this act, suspension and revocation of license: and other provisions relating to this act: and repealing all acts or parts of acts in conflict herewith."

By MacDonald, Andersen (Richland), and Trout (By Request): A bill for an act entitled: "An act requiring the County Clerk and Recorder of each county to publish all names of registered electors having failed to vote before said names shall be stricken from the registration rolls."

By Burns, Hess, Anderson (Hill), and Clark (Musselshell): A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salary of the chief field agent, of the State Board of Land Commissioners of the Department of State Lands and Investments; fixing the salary of the chief field agent at five thousand dollars (\$5,000.00) per annum, payable monthly; providing for payment of necessary expenses; amending Chapter 30, Laws of 1943, to permit the salary of the chief field agent to be fixed by the legislature; providing when this act shall take effect; repealing all acts and parts of acts in conflict herewith."

By Tierney: A bill for an act entitled: "An act to amend Section 1751.1, Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 123, Session Laws, 1947, relating to regulation of size and weight of vehicles on public highways, by providing the axle load not to be in excess of 22,000 pounds; repealing all acts in conflict."

By Gunderson, Mernin, Dusak and Holtz: A bill for an act entitled: "An act to license the placing and/or maintenance of telephone, telegraph, electric light and power poles on the right of way of any state highway in the State of Montana; providing for an inventory and survey of existing poles and providing for a pro-rata license fee to be established by the State Board of Equalization; providing for collection of such license; providing for severability; repealing all acts in conflict herewith."

By Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, and Chapter 30, Session Laws of 1943, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments; changing the salary of the chief field agent from forty-two hundred dollars (\$4,200.00) to five thousand dollars (\$5,000.00) per annum, payable monthly; changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3,600.00) per annum to five thousand dollars (\$5,000.00) per annum, payable monthly; providing that the salary of the deputy field agents, clerks, and all employees shall be fixed and determined by the Board of Examiners subject to the provisions of Chapter 30, Laws of 1943; providing for monthly payments of such salaries; deleting the last three paragraphs of Section 1805.14 Revised Codes of Montana, 1935; providing for payment of necessary expenses; providing when this act shall take effect; repealing all acts and parts of acts in conflict herewith."

By MacDonald (By Request): A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the State Purchasing Department, for the present fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient."

Moved by Loble that the House adjourn until 1:00 P. M. Sunday, February 6, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-FIFTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 6, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Cotton, Harken, Holding, and Michels, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Thirty-Fourth Legislative Day and find same correct.

HOLTZ, Chairman.

### CONSIDERATION OF MESSAGES FROM THE SENATE

February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 62 by Moss and Wilson of Toole.

Senate Bill No. 51 by Worden and Moss.

Senate Bill No. 53 by Wilson of Carbon.

Senate Bill No. 66 by Sawtell et al.

Senate Bill No. 50 by Liggett and Balgord.

Senate Bill No. 37 by Busch and Ross.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Memorial was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Joint Memorial No. 2 by Phillips and Haight.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.



February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 39 by Hofland et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in the Senate amendments:

House Bill No. 78 by Military Affairs Committee.

House Bill No. 21 by Duppler-Oliver.

House Bill No. 30 by Education Committee.

House Bill No. 40 by Military Affairs Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 143 by Committee on Ways and Means.

House Bill No. 131 by Appropriations Committee.

House Bill No. 133 by Appropriations Committee.

House Bill No. 135 by Appropriations Committee.

House Bill No. 136 by Appropriations Committee.

House Bill No. 137 by Appropriations Committee.

House Bill No. 77 by Committee on Military Affairs.

House Bill No. 118 by Fish and Game Committee.

House Bill No. 120 by Fish and Game Committee.

House Bill No. 87 by Esp and Scofield.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 5, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following proceedings were this day had in the Senate:

The Committee of the Whole recommended that House Joint Resolution No. 1 be concurred in.

Report adopted.

The Agriculture Committee recommended that House Bill No. 150 be concurred in.

Report adopted.

The Education Committee recommended that House Bill No. 159 be reported back to the Senate without recommendation.

Report adopted.

Senator Gosman moved that House Bill No. 159 be placed on general file; motion duly seconded and carried.

Senator Moss moved that House Bill No. 103, now on Third Reading, be passed for the day. Motion duly seconded and carried.

The following House Bills were this day read first and second time and referred:

House Bill No. 142 by Wiedman — Fish and Game.

House Bill No. 147 by Loble, Hawks — Finance and Claims.

House Bill No. 154 by McElwain et al — Judiciary.

House Bill No. 158 by Fish and Game — Fish and Game.

House Bill No. 185 by Koch et al — Judiciary.

House Bill No. 196 by Military Affairs — Military Affairs.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

#### MOTIONS AND RESOLUTIONS

Moved by Emmons that the House reconsider its action of yesterday on House Bill No. 138 whereby it was killed. A roll call vote and entry in the Journal having been demanded by the required number, same was as follows:

Moved by McCarthy that consideration of House Bill No. 138 be postponed indefinitely. Motion lost.

Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Beck, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Harpster, Hawks, Haytin, Howard, Hunter, Jarussi, Laas, Loble, Loughran, McElwain, McKenna, Martin, Nixon, Oliver, Page (Granite), Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Van Dyke, Wilson (Treasure).

Ayes: Total, 53.

Noes: Anderson (Hill), Barnard, Blenkner, Burns, Dokken, Dusak, Goodgame, Gunderson, Harlow, Hess, Hoiness, Holtz, Jensen, Karlberg, Koch, Krieg, MacDonald, McCarthy, Mulrone, O'Neil, Page (Missoula), Peters, Peterson, Taber, Tripp, Trout, Westlake, Williams, Wilson (Judith Basin), Working and Mr. Speaker. Total, 31.

Absent and not voting: Cotton, Harken, Holding, Mernin, Michels and Wiedman. Total, 6. Carried.

Moved by Domke that House Bill No. 138 be re-referred to the Committee on Revenue and Taxation for further consideration. Carried.

## INTRODUCTION OF BILLS, MEMORIALS AND RESOLUTIONS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Joint Resolution No. 6, introduced by Esp and Scofield: A Joint Resolution expressing our profound appreciation and gratitude to the mayor and the officers of the city government of Helena, Montana. Referred to Committee on Development and Publicity.

House Resolution No. 1, introduced by Mernin, Tripp and Taber:

Whereas, the Members of the House of Representatives of the State of Montana devote twelve (12) to fifteen (15) days in responding to oral roll calls during each session of the Legislature, and

WHEREAS, the average total cost of the Legislature for one biennial session is approximately two hundred ten thousand dollars (\$210,000.00), and the cost of a working day is approximately three thousand five hundred dollars (\$3,500.00), and

WHEREAS, the Legislatures of many states, among them Wisconsin, Iowa, Nebraska, California, West Virginia, Louisiana, Texas, Michigan, Alabama, Indiana, Minnesota, and others have installed electric roll call systems eliminating the noise, inefficiency and confusion of oral roll calls, and reducing the time of voting, recording and totalling on a bill or motion to approximately a minute, and

WHEREAS, said voting is visible and absolutely accurate, and

WHEREAS, the time saved in answering oral roll calls can be used by members of the House for other and more important work in committee, and on the floor, therefore be it

RESOLVED that the Speaker of the House be and is hereby authorized and directed to appoint a committee of three members of the House to act during the present session of the Legislature and ad interim, which committee is hereby authorized and directed to install an Electric Roll Call System in the House Chamber such as are now in use in at least five of the states of the United States, and to enter into a contract for the installation of said Electric Roll Call System with the manufacturer thereof, subject, however, to the following limitations:

The cost of said Electric Roll Call System installed shall not exceed sixty thousand dollars (\$60,000.00).

Title to said Electric Roll Call System except conduits, iron boxes or frames, junction boxes, wires, motor generator set and other material or parts permanently installed shall remain in the Contractor, and shall be removed at the end of the regular session of the Legislature in 1951 in event that the House determine that such Electric Roll Call System is not satisfactory. The contract for the purchase and installation of such Electric Roll Call System shall provide for a specific sum which shall be the total

cost thereof if such system is accepted by the next Legislative Assembly of the House of Representatives. The contract is to further provide that in case the House of Representatives in their next session deems the installation of the Electric Roll Call System is not satisfactory, the cost of the installation, and the trial thereof, would be one-half of the purchase price, the company retaining title to the equipment which is not permanently installed. The half-payment compensates the company for installation and removal, and for the trial use of the equipment for the one session that it is used.

Said installation shall be completed at the earliest possible date so as to be available for use in the event of a Special Session of the Legislature, and before the next regular session of the Legislature in 1951.

Said committee shall pay for said Electric Roll Call System during the course of its installation such sums as it may deem advisable and necessary according to the terms of said contract; and the members of said committee shall be paid their necessary expenses only; all of such payments shall be made by filing vouchers therefor with the State Auditor who shall audit said vouchers and issue warrants for their payment; all to be paid out of the Legislative Expense Fund.

The manufacturer or contractors installing said Electric Roll Call System shall guarantee the same against defects of workmanship and material for a period of five (5) years from the date when it is completely installed.

The sum of sixty thousand dollars (\$60,000.00), or so much thereof as may be necessary is hereby appropriated and set aside out of the Legislative Expense Fund to carry out the provisions of this resolution. Referred to Committee on Appropriations.

House Joint Memorial No. 8, introduced by Mernin, Tripp, Gunderson, Dusak, Holtz, Harpster, Peterson, Van Dyke, Trout, Andersen (Richland), Burns, MacDonald, Laas, Barnard, Anderson (Hill), Hess, Beck, Harlow and Clark (Musselshell): A House Joint Memorial entitled: "A Joint Memorial to the President and Congress of the United States requesting that publicly constructed power plants be used for the benefit of the public and that co-operative distributors be allowed priority in obtaining power therefrom." Referred to Committee on Water Conservation and Flood Control.

House Memorial No. 4, introduced by Mernin: A House Memorial entitled: "A Memorial of the House of Representatives of the State of Montana to the President and the Congress of the United States requesting that the Federal Government erect a custom smelter to eliminate the oppressive over-charges now restricting the operations of small independent mines." Referred to Committee on Federal Relations.

House Joint Memorial No. 9, introduced by Loble and Burns: A House Joint Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the Congress of the United States, to the Honorable United States Senators James E. Murray and Zales N. Ecton, and to the Honorable Representatives in Congress, Mike Mansfield and Wesley A. D'Ewart, relating to veterans' housing." Referred to Committee on Military Affairs.

House Joint Memorial No. 7, introduced by Krieg, Hall and Working: A House Joint Memorial entitled: "A Joint Memorial of the House of Representatives and the Senate of Montana, to Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, opposing S 472, 80th Congress, 2nd Session, and all similar proposals for Federal grants in aid for education." Referred to Committee on Education.

House Joint Resolution No. 5, introduced by Loughran: A resolution

to the Montana State Highway Commission to expedite the construction of that portion of the state highway between the City of Butte, Montana, and Nissler, Montana. Referred to Committee on Highways and Highway Transportation.

House Bill No. 336, introduced by Domke: A bill for an act entitled: "An act to repeal Section 8 of Chapter 163, Montana Session Laws of 1939, relating to half year rates for store licenses." Referred to Committee on Revenue and Taxation.

House Bill No. 337, introduced by Williams: A bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful, and defining such waste; by amending Section 3554.6, relating to employment and compensation of a secretary and other help by the board; by amending Section 3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board Fund; by adding to said Chapter 305 Sections 3554.19, 3554.20 and 3554.21, as follows: Section 3554.10, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the oil and gas division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections 3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana of 1935." Referred to Committee on Petroleum Oil and Gas.

House Bill No. 338, introduced by Burns, Jarussi, MacDonald, Clark (Musselshell), Koch, Mernin, Tripp and Anderson (Hill): A bill for an act entitled: "An act to establish the Veterans Rehabilitation Service; providing for the appointment of a director; fixing his compensation, powers and duties; establishing seven districts in the state and providing for the appointment of directors thereof; fixing their salaries and establishing their qualifications; providing for the employment of additional assistance if needed; prescribing the powers and duties of the service and its agents; providing for bi-annual meetings with veterans and veterans' organizations' representatives; authorizing the service to provide a seal and designating certain employees to take oaths and acknowledgements; transferring records, property and appropriations of the Veterans Welfare Commission, requiring certain public officers to co-operate with and assist the service; prohibiting certain acts; providing for travel allowances; providing for severability; repealing Chapter 3 of the Laws of 1945 and all of the acts or parts of acts in conflict herewith." Referred to Committee on Military Affairs.

House Bill No. 339, introduced by Aronow and Dwyer: A bill for an act entitled: "An act to amend Section 10,400.5 of the Revised Codes of Montana, 1935, pertaining to lien and payment of inheritance tax, to provide that such lien shall expire ten years after death of transferor of property subject to such tax except in cases where estates are involved." Referred to Committee on Judiciary.

House Bill No. 340, introduced by Committee on Fish and Game: A bill for an act entitled: "An act regulating fishing from boats on certain portions of the Big Hole river and on certain portions of the Madison river, making it unlawful to fish from boats in portions of these streams and providing a penalty for violation of the act." Referred to Committee on Fish and Game.



House Bill No. 341, introduced by Tierney: A bill for an act entitled: "An act to amend Section 2815.124, Revised Codes of Montana, 1935, relating to canvassing, etc., for orders for sale of spirits, wines, and malt liquors, and providing that the advertising of beer shall conform to the Montana beer act." Referred to Committee on Liquor Control.

House Bill No. 342, introduced by Tierney: A bill for an act entitled: "An act to amend Section 2815.61, Revised Codes of Montana, 1935, relating to 'definitions' of terms used in the 'State Liquor Control Act of Montana', and providing that the term 'beer' shall be defined as set forth in the Montana beer act by subsection (b), of Section 2815.11, as amended by Chapter 30, Laws of the Twenty-fifth Legislative Assembly of Montana, 1937." Referred to Committee on Liquor Control.

House Bill No. 343, introduced by Aronow: A bill for an act entitled: "An act providing a special levy in cities and towns to cover advanced engineering costs for anticipated civic projects when budgets are insufficient and when bond issues fail to take care of same and specifying limitations thereto; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 344, introduced by Mernin: A bill for an act entitled: "An act to amend Section 2620.35 of the Revised Codes of Montana, 1935, Section 2620.43 of the Revised Codes of Montana, 1935, as amended by Chapter 98 of the Laws of the Twenty-seventh Legislative Assembly of 1941, and to repeal Section 2625.1 of the Revised Codes of Montana, 1935, relating to oleomargarine." Referred to Committee on Dairying.

House Bill No. 345, introduced by Hall: A bill for an act entitled: "An act relating to the sale of wine by food and grocery stores after procuring a license from the Montana Liquor Control Board for retail sale, said wine to be consumed off the premises where sold, length of time for which license shall issue, cost of the license to be issued, and qualifications of licensee; providing that said licensee shall purchase said wine from the Montana Liquor Control Board; repealing all acts or parts of acts in conflict herewith, and providing for the effective date of this act." Referred to Committee on Liquor Control.

House Bill No. 346, introduced by Emmons, Hess, Clark (Musselshell), Anderson (Hill), Burns, O'Neil, Smith, Karlberg, Mernin and Holding: A bill for an act entitled: "An act to repeal Section 2819 of the Revised Codes of Montana, 1935, relating to the creation of the Industrial Accident Board; repealing Section 2820 of the Revised Codes of Montana, 1935, relating to the vacancy in office and removal of the appointive member of the board; repealing Section 2823 of the Revised Codes of Montana, 1935, relating to the Commissioner of Labor and Industry and the State Auditor receiving no additional compensation for duties upon Industrial Accident Board; repealing Section 2878 of the Revised Codes of Montana, 1935, relating to the definition of the term "board"; repealing Section 3000 of the Revised Codes of Montana, 1935, relating to the investment of reserve funds of the Industrial Accident Board; creating the State Industrial Accident Board of the State of Montana, prescribing its members, the compensation of the appointed member and the term of office of said member, and providing for the appointment of one member by the Governor for a period of four years by and with the consent of the Senate; making the State Treasurer a member of, and the treasurer of the board; providing for the filling of a vacancy in the office of the appointed member; providing that the Commissioner of Agriculture, Labor and Industry and State Treasurer, as ex-officio members of the State Industrial Accident Board of the State of Montana shall receive no additional compensation; providing for the filing of affidavits of attendance at meetings, or excuse for failure so to do, as a condition for the payment of their respective salaries; prescribing the investment of reserve funds by the board and setting up the Industrial Reserve Fund; defining the term "board"; providing for succession to the powers and duties of the Industrial Accident Board of the State of Montana; re-

pealing all acts and parts of acts in conflict herewith; and providing the effective date for this act." Referred to Committee on State Boards and Offices.

House Bill No. 347, introduced by Howard: A bill for an act entitled: "An act to amend Section 12 of Chapter 172, Session Laws, 1939, relating to electric co-operative, non-profit membership corporations organized to engage in rural electrification by providing that the principal and main office be in the State of Montana; providing for establishment of branch offices; providing manner of changing place of principal and main office; repealing all acts in conflict." Referred to Committee on Water Conservation and Flood Control.

House Bill No. 348, introduced by Taber, Oliver, Duppler, Scofield, Brenner, Hall, Ewing, Howard, Ballard and Clark (Silver Bow): A bill for an act entitled: "An act to amend Section 2296 of the Revised Codes of 1935 of the State of Montana, as amended by Chapter 92 of the Session Laws of 1937 of the State of Montana, and to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133 of the Session Laws of 1947 of the State of Montana, relating to corporation license tax exemptions and the deductions allowed in computing income as relates to co-operatives, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture.

House Bill No. 349, introduced by Esp and Scofield: A bill for an act entitled: "An act providing for establishment of per annum rental rate per section of all state grazing lands upon the animal-unit-month basis; providing the method for determining such rental rate; defining certain terms; authorizing the State Board of Land Commissioners to provide conservation requirements in certain leases; authorizing increased or decreased rentals by the State Board of Land Commissioners under certain circumstances; repealing Section 1805.25, Revised Codes of Montana, 1935, as amended by Section 6 of Chapter 207 of the Laws of 1945, and as last amended by Section 3 of Chapter 254 of the Laws of 1947; repealing Section 2 of Chapter 254 of the Laws of 1947, and all other acts and parts of acts in conflict herewith, and providing this act shall be in full force and effect from and after the first day of July, 1950." Referred to Committee on State Lands.

House Bill No. 350, introduced by Mulroney by request: A bill for an act entitled: "An act to require title insurance companies to maintain a set of abstract books approved by the Montana Abstracters' Board of Examiners in each county of the state in which said title insurance company does business, and to further provide that each such abstract plant herein provided for be under the supervision of a registered abstracter." Referred to Committee on Judiciary.

House Bill No. 351, introduced by MacDonald, Clark (Musselshell), Beck, Barnard, Nixon, Anderson (Phillips), Peterson, Wilson (Judith Basin), Harpster, Page (Granite), Skibby: A bill for an act entitled: "An act providing for the licensing and bonding, by the Livestock Commission of the State of Montana, all persons engaged in the business of buying and/or selling livestock of any kind or description for commission or speculation, excepting those bona fide ranchers or farmers of the State of Montana who are primarily engaged in the raising or feeding of livestock bought or sold; providing a penalty for violation thereof." Referred to Committee on Livestock and Public Ranges.

House Bill No. 352, introduced by Gunderson and Holtz: A bill for an act entitled: "An act to amend Section 4238 of the Revised Codes of Montana, 1935, relating to the duties of the State Sealer, providing for supervision of installation and use of weighing devices and apparatus; repealing all acts in conflict." Referred to Committee on State Boards and Offices.

House Bill No. 353, introduced by Dwyer by request: A bill for an act

entitled: "An act to reappropriate money from the General Fund by House Bill Number 432, Laws of 1947, for the purchase of the Lee House surrounded by the campus of the Montana School of Mines located at Butte, Montana, inasmuch as these funds cannot be used prior to June 30, 1949." Referred to Committee on Appropriations.

House Bill No. 354, introduced by Domke and Karlberg: A bill for an act entitled: "An act to amend Chapter 293 of the Laws of the Thirtieth Legislative Assembly of the State of Montana of 1947, providing for an increase in the minimum compensation for members of paid fire departments of cities of the first and second class and providing for the repeal of acts insofar as they are in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 355, introduced by Blenkner: A bill for an act entitled: "An act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto." Referred to Committee on Judiciary.

House Bill No. 356, introduced by Oliver, Working, Westlake, Holding and Hall: A bill for an act entitled: "An act to amend Section 2396.3 of the Revised Codes of Montana, 1935, as amended by Chapter 102 of the Session Laws of Montana, 1937, as amended by Chapter 213 of the Session Laws of Montana, 1939, as amended by Chapter 175 of the Session Laws of Montana, 1943, as amended by Chapter 87 of the Session Laws of Montana, 1945, relating to the method for the determination and distribution of the State Highway Fund for construction purposes; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." Referred to Committee on Highways and Highway Transportation.

House Bill No. 357, introduced by MacDonald by request: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the State Purchasing Department, for the present fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." Referred to Committee on Appropriations.

House Bill No. 358, introduced by MacDonald, Trout, Andersen (Richland): A bill for an act entitled: "An act requiring the County Clerk and Recorder of each county to publish all names of registered electors having failed to vote before said names shall be stricken from the registration rolls." Referred to Committee on Privileges and Elections.

House Bill No. 359, introduced by Loble: A bill for an act entitled: "An act to amend Sections 3, 8, 9, and 10 of Chapter 142, Session Laws of 1945, relating to licensing of slot machines; defining the terms 'religious organizations', 'fraternal organizations', 'charitable organizations', and 'social clubs'; providing only bona fide members permitted to use slot machines; providing for suspension and revocation of licenses and hearing thereon and appeal from decision of board; providing for effective date of this act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 360, introduced by Peters, Rostad, Hawks, Esp, Scofield and Anderson (Phillips): A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIX of the Constitution of the State of Montana, relating to lotteries, by prohibiting the Legislative Assembly from enacting laws permitting gambling or games of chance." Referred to Committee on Constitutional Amendments.

House Bill No. 361, introduced by Domke: A bill for an act entitled: "An act relating to actions against the State of Montana to quiet title to



real property, requiring certain allegations." Referred to Committee on Judiciary.

House Bill No. 362, introduced by Harlow, Robertson, Tripp, Jensen, Wiedman, Mulroney and Wilson (Judith Basin): A bill for an act entitled: "An act to amend Sections 1218.2 and 1218.6, Revised Codes of Montana, 1935, relating to promise of state to repay to the Public School Permanent Fund principal and interest at 2% from and after January 1, 1935, on farm mortgage loans made from the Public School Permanent Fund and providing manner of such payment, by providing the state agrees to repay to the Public School Permanent Fund all the interest payments lost to said Public School Permanent Fund by reason of failure of payment of farm mortgage loans, providing such amount shall be computed by the State Board of Land Commissioners, providing the time and method of payment, repealing all acts and parts of acts in conflict herewith, and providing an effective date hereof." Referred to Committee on State Lands.

House Bill No. 363, introduced by Clark (Musselshell), Anderson (Hill), and Jarussi: A bill for an act entitled: "An act relating to certain coin-operated amusement machines; defining terms; providing for state licenses, license stamps and amount of license fees; authorizing incorporated cities and towns of the State of Montana to license such machines, subject to maximum fees; providing for distribution of license fees; prohibiting persons under twenty-one years of age from playing any such machine; providing generally for the administration of this act; prescribing penalties; providing for suspension and revocation of licenses; and providing for other matters relating to this act." Referred to Committee on Revenue and Taxation.

House Bill No. 364, introduced by Trout, Culbertson, Harlow, Barnard, Michels, MacDonald, Jensen and Hoiness: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XI of the Constitution of the State of Montana, relating to the apportionment of income from public school funds to the several school districts of the state and providing that districts with kindergartens receive apportions on the basis of the number of children between the ages of five (5) and twenty-one (21) years residing therein." Referred to Committee on Constitutional Amendments.

House Bill No. 365, introduced by Aronow, McElwain, Dwyer, McKenna, Domke, Hoiness and Harken: A bill for an act entitled: "An act to amend Section 8933 of the Revised Codes of Montana, of 1935, as amended by Chapter 73, Session Laws of Montana, of 1945, relating to salary and expenses of stenographer-apportionment." Referred to Committee on Townships and counties.

House Bill No. 366, introduced by Ballard: A bill for an act entitled: "An act to amend Section 2295.8 of the Revised Codes of Montana, 1935, relating to income taxes and deductions, allowing an additional deduction for payment of alimony." Referred to Committee on Judiciary.

House Bill No. 367, introduced by Tierney and Foley: A bill for an act entitled: "An act relating to the creation and establishment of a state board to be known as the Montana Resources Development Board; outlining the purposes thereof; relating to the appointment of members of said board; defining the powers and duties of said board and its secretary and fixing the compensation thereof; providing for the keeping of records of said board and the preservation thereof; providing for supplemental appropriation for money out of the State Treasury not otherwise appropriated for the purposes in this act expressed; giving authority to said board to contract." Referred to Committee on Appropriations.

House Bill No. 368, introduced by Cotton, O'Neil and Clark (Silver Bow): A bill for an act entitled: "An act creating the Montana High School Athletic Commission, defining the powers and duties of said commis-

sion; providing for the promulgation and enforcement of rules and regulations by said commission; providing for the appointment and fixing the salary of the State High School Athletic Commission; providing for the appointment of a board of directors; creating a State Athletic Fund and providing for an amusement tax to support such fund; providing for an appropriation of ten thousand dollars (\$10,000.00) as a revolving fund for use of said commission; providing for reimbursement of such revolving fund from the State Athletic Fund; defining the terms used in this act." Referred to Committee on Education.

House Bill No. 369, introduced by Mernin, Emmons, Gunderson and Smith: A bill for an act entitled: "An act to amend Section 5 of Chapter 91 of the Session Laws of Montana of 1937, requiring licenses for the operation, maintenance, opening or establishment of moving picture theaters; relating to exemptions from such license requirements; relating to the collection and disposition of license fees; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 370, introduced by Mernin and Tripp: A bill for an act entitled: "An act to amend Section 1 of Chapter 94 of the Laws of Montana of 1937 as amended by Section 1 of Chapter 41 of the Laws of Montana of 1947, relating to a license tax on all persons, associations, or corporations, owning or operating a telephone business in this state, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 371, introduced by Mernin, Laas, Trout, Burns, Hess and Gunderson: A bill for an act entitled: "An act to amend Section 2297 of the Revised Codes of Montana, 1935, as amended by Chapter 133, Montana Session Laws of 1947, relating to corporation license tax, deductions allowed in computing income, excluding certain deductions." Referred to Committee on Revenue and Taxation.

House Bill No. 372, introduced by Emmons, Mernin, Holding, Smith, Loble, Tripp and Clark (Musselshell): A bill for an act entitled: "An act to amend Chapter 82 of the Montana Session Laws of 1937, as amended by Part IX of Chapter 5, of the Montana Session Laws of 1941, and as amended by Chapter 216 of the Montana Session Laws of 1947, by amending Sections 3, 4 and 8 Part IX of Chapter 5, of the Montana Session Laws of 1941, providing increased payments to persons having silicosis as defined in the act and by authorizing such additional appropriations as may be necessary to make such increased payments." Referred to Committee on Workmen's Compensation.

House Bill No. 373, introduced by Committee on Conservation of Resources: A bill for an act entitled: "An act to amend Section 1830.3, Revised Codes of Montana, 1935, and Section 1 of Chapter 128, Session Laws, 1939, as amended by Section 1 of Chapter 141, Session Laws, 1941, all relating to state forest administration; providing that State Forester's term of office be set by Governor; providing that Governor appoint and set term of office of the members of the State Board of Forestry, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Conservation of Resources.

House Bill No. 374, introduced by Loble: A bill for an act entitled: "An act to appropriate money from the General Fund for the purpose of paying for digging and back filling a series of ditches for water and sewer utilities required by the Montana School of Mines in order to render veterans' housing units thereat tenable in winter emergency." Referred to Committee on Appropriations.

House Bill No. 375, introduced by Page (Missoula), Working, Holding, Oliver, Hall and Loughran: A bill for an act entitled: "An act to amend Section 1783, Revised Codes of Montana 1935, as amended by Chapter 111



of the Laws of the Twenty-seventh Legislative Assembly of the State of Montana 1941, and as amended by Chapter 86 of the Laws of the Twenty-ninth Legislative Assembly of the State of Montana 1945, relating to the creation, salary, bond, term of office and number of members of the State Highway Commission, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 376, introduced by Page of Missoula: A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State University located at Missoula, Montana, for the state's contribution to the Teachers' Retirement Fund made in House Bill No. 432, Thirtieth Legislative Session, for the period beginning July 1, 1948, and ending June 30, 1949, it having been determined that such appropriation is insufficient." Referred to Committee on Appropriations.

House Bill No. 377, introduced by Burns: A bill for an act entitled: "An act requiring policemen in cities and towns to furnish official bonds; repealing all acts in conflict." Referred to Committee on Affairs of Cities.

House Bill No. 378, introduced by Koch: A bill for an act entitled: "An act to amend Section 3685, Revised Codes of Montana of 1935 as amended by Chapter 215 of the Laws of the 30th Legislative Assembly of 1947, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and authorizing the State Fish and Game Commission to set aside funds for the feed and care of elk and to reimburse property owners for damage to or destruction of private property, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Fish and Game.

House Bill No. 379, introduced by Koch: A bill for an act entitled: "An act to amend Section 3729.1 of the Revised Codes of Montana of 1935, as amended by Chapter 146 of the Laws of the Twenty-ninth Legislative Assembly of 1945, relating to the power of the State Fish and game commission to dispose of elk increased in numbers and damaging property, and authorizing the said commission to provide for the feed and care thereof, and to reimburse property owners for damage to or destruction of private property; providing for an appropriation therefor." Referred to Committee on Fish and Game.

House Bill No. 380, introduced by Westlake: A bill for an act entitled: "An act to appropriate money for the purpose of paying salaries, expenses and operation of the Montana State College located at Bozeman, Montana, for the period ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly is insufficient." Referred to Committee on Appropriations.

House Bill No. 381, introduced by Westlake: A bill for an act entitled: "An act to appropriate money to supplement the appropriation for Montana State College at Bozeman, Montana, for the state's contribution to the Teachers' Retirement Fund made in House Bill No. 432, Thirtieth Legislative Session, for the period beginning July 1, 1948, and ending June 30, 1949, it having been determined that such appropriation is insufficient." Referred to Committee on Appropriations.

House Bill No. 382, introduced by Taylor and Oliver: A bill for an act entitled: "An act to amend Section 3228.29, Revised Codes of Montana, 1935, as amended by Section 4, of Chapter 183 of the Session Laws of Montana, 1937, as amended by Section 6 of Chapter 150 of the Session Laws of Montana, 1939, relating to fees to be paid by apprentices, students, barbers and barber shops; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 383, introduced by Loble, Graybill and Peters: A bill

for an act entitled: "An act to appropriate money from the General Fund to design, engineer, construct, erect, furnish and operate a suitable building or buildings, to be used as a home for senile men and women; providing for the acquisition of a tract of land to be used as a site for said home for senile men and women; providing for a committee of nine (9) to select said site for said home for senile men and women; authorizing the Board of Examiners to purchase the site so selected by the committee; placing a time limit upon the selection of said site; authorizing the Board of Examiners to employ architects to design the said building or buildings, and authorizing the Board of Examiners to advertise and call for bids for the construction of said building or buildings; authorizing the Board of Examiners to purchase out of any remaining monies, furnishings for said building or buildings and the employment of help to operate and maintain the same; appropriating the sum of \$5,000.00 for the expenses of said committee; defining certain terms used in the act; providing for application and admission to the home for senile men and women; providing for the commitment to the home of senile men and women; providing for a warrant of commitment; providing for payment of expenses; providing for delivery of senile persons to the home; providing for parole of senile persons; providing penalties for false representation; providing for restoration to capacity; providing for appeals; providing for recovery from estates; providing for effective date of act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 384, introduced by Loble: A bill for an act entitled: "An act appropriating moneys to the Montana State Highway Commission for use in publicizing the resources and amenities of the state for the biennium ending June 30th, 1951." Referred to Committee on Appropriations.

House Bill No. 385, introduced by Hess, Brenner, Dwyer, Page of Missoula: A bill for an act entitled: "An act to appropriate money from the General Fund of the State of Montana for salaries of personnel of the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Sub-Stations, Extension Service, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana Normal School at Billings, and Northern Montana College at Havre for the period beginning January 1, 1949, and ending June 30, 1949." Referred to Committee on Appropriations.

House Bill No. 386, introduced by Dwyer: A bill for an act entitled: "An act to amend Section 5 of Chapter 199 of the Session Laws of Montana, 1943, providing for the qualification of patrolmen—salary—probationary training—discharge—demotion—suspension—hearing; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 387, introduced by Committee on Appropriations: A bill for an act entitled: "An act directing the State Board of Examiners to issue University of Montana Building Bonds of the State of Montana under the provisions of Chapter 249 of the Laws of the Thirtieth Legislative Assembly, 1947, which law was submitted to the vote of the electors of the state at the last general election and received a majority of the votes cast for and against it at said election; and which law provides that moneys derived from the sale of said bonds shall be used for the purpose of construction and equipping of necessary buildings, other permanent improvements, acquisition of necessary grounds therefor, in and about the University of Montana, consisting of the six units thereof now existing; namely, Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and the Northern Montana College at Havre; providing for the serial issuance of said bonds and limiting the use of the funds to the purposes set forth, and validating such use." Referred to Committee on Appropriations.

House Bill No. 388, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of re-finish the capitol building after certain departments of the government have moved into the new office building; for the purpose of laying new steam lines; providing ventilation and doing excavation work under the Board of Health building; and for the purpose of exchanging the Westing-house elevator in the capitol building for a new Otis elevator." Referred to Committee on Appropriations.

House Bill No. 389, introduced by Working, Oliver, Holding and Hall: A bill for an act entitled: "An act to appropriate to the State Board of Equalization from the State Highway Fund the sum of twenty-four thousand dollars (\$24,000.00) for each fiscal year for the biennium July 1, 1949-June 30, 1951, for the purpose of employing additional field inspectors to make more effective the work of the State Board of Equalization in the examination and payment of gasoline drawbacks from the Gasoline Drawback Fund." Referred to Committee on Appropriations.

House Bill No. 390, introduced by Working, Oliver, Holding, Westlake and Hall: A bill for an act entitled: "An act to create a State Highway Study Committee; providing for the appointment of the members thereof and the filling of vacancies; authorizing such committee to study and analyze all facts relating to the development and improvement of highways, roads and streets; pertaining to the governmental and engineering and administration of state highways, county roads and city streets; pertaining to engineering design standards of state highways, county roads and city streets; pertaining to a long term highway road and street improvement program; pertaining to priority systems for the programming of construction and reconstruction thereof; pertaining to pertinent economic factors in connection therewith; pertaining to the use of same by the general public and beneficiaries of the program; pertaining to plans for financing a long term highway improvement program; requiring the committee to report to the Legislative Assembly; providing that study shall be coordinated and that the committee shall prepare findings and recommendations; providing when the final report is to be filed with the Governor and made available to the public; providing for public hearings and the utilization of the employees and facilities of the State Highway Department; providing for the powers and duties of the committee; providing for actual expenses of the committee to be paid and appropriating sufficient moneys therefor; repealing all acts and parts of acts in conflict herewith; and providing when this act shall take force and effect." Referred to Committee on Appropriations.

House Bill No. 391, introduced by Smith, Holding, Holtz, Burns: A bill for an act entitled: "An act to amend Section 4929, Revised Codes of Montana, 1935, relating to salaries of justices of the peace in certain townships and providing for an increase in such salaries." Referred to Committee on Townships and Counties.

House Bill No. 392, introduced by Tripp, Taber, Peters, Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 12 of Chapter 84, Session Laws, 1937, relating to the authorizing and licensing of the sale of liquor at retail; providing that no liquor be permitted to be consumed upon licensed premises during certain hours; to amend Section 2 of Chapter 161, Session Laws, 1943, relating to the sale of beer during closed hours forbidden; providing that no beer be permitted to be consumed upon licensed premises during closed hours." Referred to Committee on Judiciary.

House Bill No. 393, introduced by Tripp, Taber, Wilson (Judith Basin): A bill for an act entitled: "An act to amend Section 3697 of the Revised Codes of Montana, 1935, changing the open season for deer from the third Saturday in October to the third Saturday in November and the closed season for deer shall begin the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli county the open season



be from the fourth Saturday in September to the fourth Saturday in October." Referred to Committee on Fish and Game.

House Bill No. 394, introduced by Tripp, Clark (Musselshell), Gunderson, Mernin, Trout and MacDonald: A bill for an act entitled: "An act relating to allowance for disfigurement awards under the workmen's compensation act; providing that additional awards be made by the Industrial Accident Board in cases of loss of earning capacity and providing maximum limits on such awards." Referred to Committee on Workmen's Compensation.

House Bill No. 395, introduced by Tripp: A bill for an act entitled: "An act to amend Chapter 82, Part 1, Section 111 of the Session Laws of Montana passed by the Twenty-fifth Legislative Assembly of 1937 relating to the powers and duties of the State Board of Public Welfare and repealing the residence requirement for the State Administrator of Public Welfare." Referred to Committee on Social Security.

House Bill No. 396, introduced by Bricker and Graybill: A bill for an act entitled: "An act providing for the creation of a Code Commission and a Code Commissioner; defining their powers and duties and fixing the compensation of the Code Commissioner; and making an appropriation of money to carry out the provisions of this act." Referred to Committee on Judiciary.

House Bill No. 397, introduced by Jarussi: A bill for an act entitled: "An act to appropriate money for a supplementary budget to the crippled children's division of the State Board of Health which will permit them to continue to provide medical and hospital services to crippled children for the remainder of the fiscal year 1948-1949." Referred to Committee on Appropriations.

House Bill No. 398, introduced by Jarussi: A bill for an act entitled: "An act to levy a placement tax on mail order catalogues, defining placement tax and mail order catalogue and prescribing the method of calculating and levying such tax, and providing for the administration of this act and penalties for the violation thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 399, introduced by Jarussi, Dusak and Karlberg: A bill for an act entitled: "An act to amend Section 5466 of the Revised Codes of Montana, 1935, to provide for annual examination by State Bank Examiner of Cities operating under commission-manager form of government." Referred to Committee on Affairs of Cities.

House Bill No. 400, introduced by Peterson, Gunderson et al: A bill for an act entitled: "An act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing the method of letting such insurance by bid and qualifying insurers, limiting the period of insurance; providing for the gradual decrease of such insurance and for the gradual investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund; providing for re-insurance when needed, and for restoration of the fund by appropriation, if needed." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 401, introduced by Gunderson by request: A bill for an act entitled: "An act to amend Section 5108.15, Revised Codes of Montana, 1935, relating to days off duty without loss of compensation for members of the police force in cities of the first and second class." Referred to Committee on Affairs of Cities.

House Bill No. 402, introduced by Taber and Koch: A bill for an act entitled: "An act appropriating money for the payment for flood damage arising from the breaking of a dam under construction by the State Water

Conservation Board on Fred Burr Creek in Ravalli county, in the month of May, 1948, and providing for the method of proving and paying such claims." Referred to Committee on Water Conservation and Flood Control.

House Bill No. 403, introduced by Culbertson: A bill for an act entitled: "An act to amend Section 1805.77, Revised Codes of Montana, 1935, as amended by Chapter 197, Session Laws of 1945; relating to sale of state mortgage lands, by providing for a preference to veterans of World War II, repealing all acts in conflict." Referred to Committee on State Lands.

House Bill No. 404, introduced by Hoiness and McElwain: A bill for an act entitled: "An act to amend Section 5, of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221, of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating, licensing and sale of liquor at retail in the State of Montana, providing for notice before the issuance of a license to City Clerk and Board of County Commissioners." Referred to Committee on Judiciary.

House Bill No. 405, introduced by Standish, Oliver and Clark (Silver Bow): A bill for an act entitled: "An act to amend Sections 12103 and 12104 of the Revised Codes of Montana, 1935, relating to judgment of death; providing that the same shall be inflicted at a centrally located point in the state herein designated for that purpose; providing as to who may attend; providing for execution by the sheriff under the supervision of the State Warden; and providing for the return of the sheriff of the county upon the death warrant showing the execution thereof." Referred to Committee on Judiciary.

House Bill No. 406, introduced by Clark (Silver Bow): A bill for an act entitled: "An act to amend Chapter 153 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, and to amend Section 11159 of the Revised Codes of the State of Montana of 1935, relating to the proposition of card games and for distribution of the license fees thereof to state, county and incorporated cities and towns: providing for administration and enforcement of the act by the State Board of Equalization and law enforcement officers: prohibiting persons under 21 years of age from playing card games; providing penalties for violations of this act, suspension and revocation of license: and other provisions relating to this act: and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 407, introduced by Gebhardt, Pierce, Krieg, Peters and Hoiness: A bill for an act entitled: "An act to amend Section 5040.1, Revised Codes of Montana, 1935, to provide that city council of any city may establish water rates for non-resident users without approval of the Public Service Commission." Referred to Committee on Affairs of Cities.

House Bill No. 408, introduced by Hoiness, Krieg, Pierce, Peters, Gebhardt and Tripp: A bill for an act entitled: "An act to appropriate money for the purpose of making advance to a dormitory revenue bond fund of Eastern Montana State Normal School, such an advance to be repaid to the General Fund of the State Treasury out of said dormitory revenue bond fund when the proposed bond issue for the construction of the dormitory is retired." Referred to Committee on Appropriations.

House Bill No. 409, introduced by Harlow: A bill for an act entitled: "An act amending Section 2297 of the Revised Codes of Montana, 1935, relating to corporation license tax and relating to deduction in computing income." Referred to Committee on Revenue and Taxation.

House Bill No. 410, introduced by Ganson by request: A bill for an act entitled: "An act relating to tax stamps or insignia of the State of



Montana; providing penalty for counterfeiting any such stamp or insignia, or having possession thereof, or being concerned therewith; prescribing penalty for re-using any such stamp or insignia, and for failure or refusal to properly affix any such stamp or insignia, or to properly cancel any such stamp." Referred to Committee on Judiciary.

House Bill No. 411, introduced by Harlow: A bill for an act entitled: "An act to amend Section 1201.3, Revised Codes of Montana, 1935, as amended by Chapter 132, Session Laws, 1941, as amended by Chapter 108, Session Laws, 1943, as amended by Chapter 129, Session Laws, 1945, and as last amended by Chapter 281, Session Laws, 1947, relating to State Common School Equalization Fund and the distribution thereof." Referred to Committee on Education.

House Bill No. 412, introduced by Burns, Hess, Anderson (Hill), Clark (Musselshell): A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, relating to the salary of the chief field agent of the State Board of Land Commissioners of the Department of State Lands and Investments; fixing the salary of the chief field agent at five thousand dollars per annum, payable monthly; providing for payment of necessary expenses; amending Chapter 30, Laws of 1943, to permit the salary of the chief field agent to be fixed by the legislature; providing when this act shall take effect; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Lands.

House Bill No. 413, introduced by O'Neil by request: A bill for an act entitled: "An act to amend Section 2851 of the Revised Codes of Montana, 1935, as amended by Chapter 88 of the Session Laws of Montana, 1945; relating to workmen's compensation specifying classes of employees to be covered, permitting cities and towns to elect to come under Plan Two, application of the act to city and town employees drawing benefits from other acts; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 414, introduced by Clark (Musselshell): A bill for an act entitled: "An act to amend Section 2949, of the Revised Codes of Montana, 1935, relating to the time for filing and the final findings and awards of the Industrial Accident Board and providing a limitation on settings for hearings upon request of either party, allowing for advances on such times by stipulation between the parties and providing a time limit for the making of awards and findings by the board." Referred to Committee on Workmen's Compensation.

House Bill No. 415, introduced by Clark (Musselshell): A bill for an act entitled: "An act to amend Sections 2819, 2820, 2823, of the Revised Codes of Montana, 1935, relating to the creation of an Elective Industrial Accident Board, terms and salary of members thereof; providing that the State Treasurer be treasurer of the board; providing for any vacancies; forbidding members receiving other offices or employment during terms." Referred to Committee on State Boards and Offices.

House Bill No. 416, introduced by O'Neil by request: A bill for an act entitled: "An act relating to abstractors and to the business of abstracting; defining the qualifications of abstractors and requiring their registration; prescribing the license fee to be paid by the applicant or the abstractor; requiring the filing of a bond, or securities in lieu thereof; and prescribing its form, penalty and amount, designating a seal to be used; fixing the penalties for the violation of this act and repealing Chapter 319 of the Revised Codes of Montana, 1935, as amended and all acts and parts of acts in conflict herewith and excepting from the provisions of this act county clerks and recorders and persons employed by counties in preparation of abstracts." Referred to Committee on Judiciary.

House Bill No. 417, introduced by Harlow, Robertson and Holtz: A bill for an act entitled: "An act to amend Section 4465.20, Revised Codes of

Montana, 1935, relating to publication of proceedings, list of claims, financial statement; providing for posting of list of claims paid and summary of minutes and records at adjournment of each session; repealing all acts in conflict." Referred to Committee on Townships and Counties.

House Bill No. 418, introduced by Harlow by request: A bill for an act entitled: "An act relating to financial support for the public school system of the State of Montana, providing a basic schedule for the determination of the amounts which may be budgeted for the operation of schools, based upon the number of pupils in attendance; providing for an equalized county-wide tax to raise half the necessary amounts; providing that trustees may use separate or joint budgets for elementary and high schools; providing for an equalized levy, on a state-wide basis, to raise the amounts not raised by the county-wide tax and fixing procedure for determining the number of mills necessary for such tax; and repealing Chapter 118, Revised Codes of Montana, 1935, repealing Sections 1202, 1203, and 1019.19, Revised Codes of Montana, 1935, as amended." Referred to Committee on Education.

House Bill No. 419, introduced by Harlow by request: A bill for an act entitled: "An act to amend Section 177, Revised Codes of Montana of 1935, changing the percentage of Forest Reserve Fund allotted to General Fund and Common School Fund so as to provide that the Common School Fund shall receive fifty per cent thereof." Referred to Committee on Education.

House Bill No. 420, introduced by Harlow by request: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 6, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness of liability of school districts, cities, towns, or townships." Referred to Committee on Constitutional Amendments.

House Bill No. 421, introduced by Gunderson et al: A bill for an act entitled: "An act to license the placing and/or maintenance of telephone, telegraph, electric light and power poles on the right of way of any state highway in the State of Montana; providing for an inventory and survey of existing poles and providing for a pro-rata license fee to be established by the State Board of Equalization; providing for collection of such license; providing for severability; repealing all acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 422, introduced by Krieg and Hoiness: A bill for an act entitled: "An act to establish a foundation program of elementary and high school education and to equalize the distribution of funds to support said foundation program; creating a State Public School Equalization Fund and providing for the administration thereof; providing for the raising of revenues by school district and county taxes for support of the schools and for payments by the state in support of such schools within prescribed limits; providing for applications for approval as isolated schools and for action thereon by the County Budget Board, County Superintendent of Schools and State Superintendent of Public Instruction; providing restrictions upon the amount of expenditures in school budgets; providing the method of distribution and apportionment of school funds; providing for elections to vote upon extra levies; providing for reports by the State Board of Equalization; amending sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1019.9, 1019.19, 1219, 1263.3, 1263.5 as amended by Section 1, Chapter 280, Laws of 1947, and Section 1263.19, and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

House Bill No. 423, introduced by Jarussi, Van Dyke, Clark (Mussellshell) and Anderson (Hill): A bill for an act entitled: "An act to amend Section 5132 of the Revised Codes of Montana of 1935, as amended by Chapter 73 of the Laws of the Twenty-sixth Legislative Assembly, as amended by Chapter 98 of the Laws of the Twenty-ninth Legislative As-

sembly, relating to service pensions, disability pensions and widows' and orphans' pensions to be paid members or survivors of members of fire departments in cities and towns where firemen's relief associations have been formed." Referred to Committee on Affairs of Cities.

House Bill No. 424, introduced by Tierney: A bill for an act entitled: "An act to amend Chapter 199 of the Political Code of the Revised Codes of Montana, 1935, relating to collection of property taxes, by adding a new section thereto to be known as Section 2222.1, providing for the refund of taxes, penalties and costs paid under a mistake of either law or of fact and repealing all acts in conflict." Referred to Committee on Judiciary.

House Bill No. 425, introduced by Tierney: A bill for an act entitled: "An act to amend Section 1751.1, Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 123, Session Laws of 1947, relating to regulating of size and weight of vehicles on public highways, by providing the axle load not to be in excess of 22,000 pounds, and repealing all acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 426, introduced by Working: A bill for an act entitled: "An act to amend Section 4320 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Gallatin County, Montana; and to amend Section 4337 of the Revised Codes of Montana, 1935, fixing and defining the boundaries of Park County, Montana." Referred to Committee on Highways and Highway Transportation.

House Bill No. 427, introduced by Tripp and Burns: A bill for an act entitled: "An act to repeal Section 2931 of the Revised Codes of Montana, 1935, relating to exemption of interstate railroads from the workmen's compensation act and amending Section 2837 of Revised Codes of Montana, 1935, relating to exemption of railroad workers from the act excluding certain defenses in personal injury actions." Referred to Committee on Railroads and Railroad Transportation.

House Bill No. 428, introduced by Tripp: A bill for an act entitled: "An act to amend Section 11169 of the Revised Codes of Montana, 1935, relating to the duty of public officers to make complaints against gamblers and providing that actions to recover gambling losses may be brought against public officers knowing or reasonably having knowledge of existence of gambling; providing defenses for such public officers; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 429, introduced by Wilson (Judith Basin), Tripp, Taber and Mernin: A bill for an act entitled: "An act to prohibit any retail grocery store from selling beer, wine, or intoxicating liquors." Referred to Committee on Liquor Control.

House Bill No. 430, introduced by Tripp and Peterson: A bill for an act entitled: "An act to amend Section 3696 of the Revised Codes of Montana, 1935, changing the open season for elk from the third Saturday in October to the third Saturday in November and the closed season for elk from the Sunday following the third Saturday in November and shall end the Friday preceding the third Saturday in October, and providing that in certain sections of Ravalli County the open season be from the fourth Saturday in September to the fourth Saturday in October." Referred to Committee on Fish and Game.

House Bill No. 431, introduced by Tripp, Holtz, Mernin and Burns: A bill for an act entitled: "An act to hold parents and guardians civilly liable for the torts of minor children." Referred to Committee on Judiciary.

House Bill No. 432, introduced by Emmons and Tripp: A bill for an act entitled: "An act to amend Section 2953 of the Revised Codes of Montana, 1935, as amended by Chapter 62, Section 3, of the Laws of Montana,



passed by the Twenty-fifth Legislative Assembly of 1937, relating to fees of persons representing claimants in proceedings before the Industrial Accident Board; and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 433, introduced by Tripp et al: A bill for an act entitled: "An act to prohibit any school board member or public school administrator from dismissing or otherwise coercing any public school teacher from free exercise of religion; and providing penalties for violation of this act." Referred to Committee on Education.

Moved by Loble that the House recess at the call of the Chair.

House resumed.

House Bill No. 434, introduced by Barnard: A bill for an act entitled: "An act to amend Section 1805.14 of the Revised Codes of Montana, 1935, and Section 1, Chapter 30, Session Laws 1943, relating to the salaries and compensation of officers and employees of the Department of State Lands and Investments; changing the salary of the chief field agent from forty-two hundred dollars (\$4,200.00) to five thousand dollars (\$5,000.00) per annum, payable monthly; changing the salary of the Commissioner of State Lands and Investments from thirty-six hundred dollars (\$3,600.00) per annum to five thousand dollars (\$5,000.00) per annum, payable monthly; providing that the salary of the deputy field agents, clerks, and all employees shall be fixed and determined by the Board of Examiners subject to the provisions of Chapter 30, Laws of 1943; providing for the monthly payment of such salaries; deleting the last three paragraphs of Section 1805.14, Revised Codes of Montana, 1935; providing when this act shall take effect; providing for the payment of necessary expenses; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Lands.

House Bill No. 435, introduced by Domke and Jensen: A bill for an act entitled: "An act creating the Montana Resources Development Board, defining its powers and duties and making an appropriation to defray the cost and expense of said board." Referred to Committee on Appropriations.

House Bill No. 436, introduced by Tripp: A bill for an act entitled: "An act to amend Section 5 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, as amended by Chapter 163, Laws of the Twenty-seventh Legislative Assembly of the State of Montana, 1941, relating to regulating licensing and sale of liquor at retail in the State of Montana and requiring that prior to the issuance of a license by the Montana Liquor Control Board, city authorities and county commissioners be informed twenty (20) days in advance." Referred to Committee on Judiciary.

House Bill No. 437, introduced by Ewing, Mulroney, O'Neil, Haytin and Barnard: A bill for an act entitled: "An act to unify, coordinate and simplify under one administrative department, located at the seat of government, the regulation of motor vehicles, motor vehicle owners, operators, and persons engaged in the motor trades, which regulation is now diversified in various agencies of the state located at different locations, by creating the Motor Vehicle Department of the State of Montana, providing for the appointment by the Governor of a commissioner as the principal executive officer of such department; establishing three (3) divisions within the department (1) for registration and licensing of motor vehicles, owners and operators thereof, (2) for inspection and policing of such vehicles and of motor traffic on the highways, promotion of public safety in the use and operation of motor vehicles and enforcement of the laws relating to such safety, and (3) for the licensing of dealers, manufacturers, finance companies and salesmen and to protect motor vehicle dealers and distributors

located in Montana against financial and trade coercion and other unfair economic practices; and delegating powers and functions to said department and prescribing the duties of said department in the various fields of regulation of motor vehicles, motor vehicle ownership, registration and licensing and in the regulation and policing of motor vehicle traffic; and providing for the transfer to and transferring over to the motor vehicle department hereby created, the powers, duties and functions heretofore delegated to the Montana State Highway Commission as, ex-officio, the Montana Highway Patrol Board, under Chapter 199, Laws of the Twenty-eighth Legislative Assembly, 1943, as amended by Chapter 55, Laws of the Twenty-ninth Legislative Assembly, 1945; and providing for the transfer to and transferring over to the Motor Vehicle Department the powers, duties and functions relating to registration, licensing and titles of motor vehicles, and licensing of owners, dealers and others and to mortgages on such vehicles and the recording thereof, as heretofore delegated to the Warden of Montana State Prison at Deer Lodge, and to the deputy registrar thereat, under Sections 1755 through 1763.13, Revised Codes of Montana, 1935, inclusive (except the repealed sections numbered 1755.4, 1755.5, 1758.6, 1761 and 1762) as said sections are amended and supplemented by acts of succeeding legislative assemblies through the termination of the Thirty-first Legislative Assembly of the State of Montana; and providing for the transfer and transferring over of all powers, duties and functions respecting motor vehicles heretofore delegated to the State Board of Education and to the State Superintendent of Public Instruction, all such powers and duties to be transferred without the impairment or diminution of any thereof or of any interruption in the administration of the powers, duties and functions transferred from the former administrative agency or head to the Motor Vehicle Department, all to the end of consolidating and coordinating to one administrative department, the administration of laws relating or applicable to motor vehicles in the said fields of regulation, and the promoting of direct and immediate communication in one physical location at the capitol between the officers and employees in said field; excluding from the operation of this act all of those laws whose enforcement is not delegated to the Board of Railroad Commissioners of the State of Montana and any of its ex-officio commission; and excluding from the Motor Vehicle Department the exercise of any powers with reference to taxation, except as respects the registration and license tax, fees and imposts upon motor vehicles and persons as prescribed by law." Referred to Committee on State Boards and Offices.

House Bill No. 438, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1949 and ending June 30, 1951." Referred to Committee on Appropriations.

Moved by Loble that the House adjourn until 10:00 A.M. Monday, February 7, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 7, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.



On roll call, all members were present except Armstrong, Aronow, Cotton, Duncan, Harken, Holding and Williams, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Thirty-Fifth Legislative Day and find the same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 222, 246, 247, 127, 280, 244, 258, 263, House Memorial No. 3, House Joint Resolution No. 4, House Joint Memorial No. 6, and Substitute House Bills Nos. 124, 128, 123 and 126, have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 156, 105, 232, 162, 205 and 213.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do pass.

COMMITTEE ON LIVESTOCK  
AND PUBLIC RANGES.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred

House Bills Nos. 1, 2, 3, 13, 16, 17, 18, 26, 28, 47, 49, 53, 65 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were on the dates hereinafter set forth delivered to the Governor for his approval:

House Bill Nos. 1 and 2 and House Memorial No. 1 on January 6, 1949.

House Bill Nos. 3, 18, 26, 28 on February 1, 1949.

House Bill Nos. 17, 47, 53 and House Joint Memorial No. 3 on February 3, 1949.

House Bill Nos. 13, 16, 49 on February 4, 1949.

House Bill No. 65 and House Joint Memorial Nos. 2 and 5 on February 5, 1949.

WIEDMAN, Chairman.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 2 by Angstman and Ross.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Memorial was this day read third time and passed, title and history agreed to and the same is herewith transmitted to the House for concurrence:

Senate Joint Memorial No. 3 by Phillips.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 35 by Worden and Lott.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed as amended, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 58 by Horticulture.

Senate Bill No. 65 by Rice and Gosman.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 6, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Joint Resolution No. 1 by Bricker et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 317 be taken from the Committee on Highways and Highway Transportation and be re-referred to the Committee on State Boards and Offices. Carried.

## INTRODUCTION OF BILLS, MEMORIALS AND RESOLUTIONS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

## SENATE

Senate Joint Resolution No. 2, introduced by Angstman and Ross: "A Joint Resolution of the Senate of the Thirty-first Legislative Assembly of the State of Montana, the House of Representatives concurring, ratifying proposed amendment to the Constitution of the United States relating to the terms of office of the President of the United States." Referred to Committee on Federal Relations.

Senate Bill No. 35, introduced by Worden and Lott: A bill for an act entitled: "An act to amend Section 1805.71, Revised Codes of Montana, 1935, relating to persons eligible to purchase state lands, and the quantities which may be purchased, and providing that any sovereign state of the United States and any trustee or public corporation or agency or political subdivision thereof, duly authorized by such sovereign states, may purchase and hold state lands; limiting the quantity which may be purchased and defining the purpose for which the same may be purchased and validating any sales of state lands heretofore made to sovereign states of the United States eligible under the provisions of this act." Referred to Committee on State Lands.

Senate Joint Memorial No. 3, introduced by Phillips: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States and to the Honorable James E. Murray, and Zales N. Ecton, United States Senators from Montana, and to the Honorable Mike Mansfield and Wesley A. D'Ewart, Representatives in Congress from Montana, requesting that Congress continue and enhance its program of rehabilitation of the landless Indian in Montana." Referred to Committee on Federal Relations.

Senate Bill No. 58, introduced by Horticulture Committee: A bill for an act entitled: "An act relating to the protection of native Montana plants and shrubs: providing for the unlawful removal or destruction thereof and providing a penalty for the violations of the provisions of this act." Referred to Committee on Horticulture.

Senate Joint Memorial No. 2, introduced by Phillips and Haight: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Public Roads Administration of the Federal Works Agency, petitioning that said administration exert its best offices to the end that the construction of the bridge on Federal Aid Route No. 16, across the Missouri River at or near power plant ferry may be expedited." Referred to Committee on Federal Relations.

Senate Bill No. 62, introduced by Moss, Wilson (Toole): A bill for an act entitled: "An act providing for appointment of public officers by the Governor and requiring the consent of the Senate thereto." Referred to Committee on State Boards and Offices.

Senate Bill No. 51, introduced by Worden and Moss: A bill for an act entitled: "An act to create and establish in the division of public health education in the State Board of Health a section to be known as narcotic education section; defining its purpose; fixing its powers, providing for expenses necessary to carry out the provisions of this act; authorizing the State Board of Health to accept contributions, donations and gifts; repealing Chapter 89, Laws of Montana of 1947; and all other acts and parts of acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 53, introduced by Wilson (Carbon), Liggett and Parriott: A bill for an act entitled: "An act to authorize the State of Montana to participate jointly with the Federal Government on a dollar-for-dollar basis in carrying out a program of hospital construction in accordance with the provisions of Chapter 270 of the Session Laws of Montana of 1947 and the provisions of the federal hospital survey and construction act (Public Law 725 of the Seventy-ninth Congress, approved August 13, 1946), in cases where the appropriations of money made by the Federal Government under said Public Law 725 to the State of Montana are inadequate to meet the Federal share of hospital construction, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 66, introduced by Sawtell, Angstman, Haynes, Fewkes, Parriott and Larson: A bill for an act entitled: "An act to amend Section 4736, Revised Codes of Montana, 1935, relating to the hours when certain county officers shall keep their offices open, and repealing Section 974, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 50, introduced by Liggett and Balgord: A bill for an act entitled: "An act to amend Section 2295.10 of the Revised Codes of Montana, 1935, as amended by Chapter 29, Laws of 1941, relating to income tax exemptions." Referred to Committee on Revenue and Taxation.

Senate Bill No. 37, introduced by Busch and Ross: A bill for an act entitled: "An act to amend Section 191.2, Revised Codes of Montana, 1935,

as last amended by Chapter 102 of the Session Laws of Montana of 1939, relating to an apportionment of money to counties under the Taylor Grazing Act, approved June 28, 1934 (Public Act. No. 482); and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 39, introduced by Hofland, Brown and Mahoney: A bill for an act entitled: "An act to amend Section 6175, Revised Codes of Montana, 1935, as amended by Chapter 107, Laws of Montana, 1945, relating to powers of state rural mutual insurance companies, to provide that such corporations shall have the right to spend in any one year up to five per centum of its net earnings of the preceding year for educational purposes." Referred to Committee on Insurance.

### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed Harlow of Sanders to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 193 be amended in Section 1 by striking out all of the lines 43, 44, 45 and 46 on page 2 of the printed bill, and inserting in lieu thereof the words "also a city or town may, without bid when there are sufficient funds in the budget for supplies or equipment, purchase such supplies or equipment from government agencies available to cities and towns when the same can be purchased by such city or town at a substantial saving to such city or town." and as so amended, recommend that House Bill No. 193 do pass.

That House Bill No. 238 do pass.

That House Bill No. 233 do pass.

That House Bill No. 234 do pass.

That House Bill No. 235 do pass.

That House Bill No. 202 do pass.

HARLOW, Chairman.

Report adopted.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 156 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rob-



ertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 77.

Noes: Anderson (Hill), Clark (Musselshell), Harlow, Hess, and MacDonald. Total, 5.

Absent and not voting: Armstrong, Burns, Cotton, Culbertson, Harken, Holding, Howard, and Working. Total, 8.

House Bill No. 105 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 77.

Noes: Anderson (Phillips), Beck, Harlow, MacDonald, Oliver, Page (Granite), and Skibby. Total, 7.

Absent and not voting: Armstrong, Cotton, Frerich, Harken, Holding, and Krieg. Total, 6.

House Bill No. 232 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 79.

Noes: Total, none.

Absent and not voting: Armstrong, Beck, Cotton, Gunderson, Hall, Harken, Holding, Hunter, Jarussi, Koch and Taber. Total, 11.

House Bill No. 162 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Esp, Frerich, Ganson, Gebhardt, Gunderson, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Jensen, Karlberg, Koch, Krieg, Loble, MacDonald, McElwain, McKenna, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Standish, Taber, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 62.

Noes: Ballard, Burns, Clark (Silver Bow), Corcoran, Emmons, Ewing, Foley, Goodgame, Hall, Howard, Laas, Loughran, McCarthy, Mernin, Mulroney, Sales, Smith, Tierney, Tripp and Wilson (Treasure). Total, 20.

Absent and not voting: Armstrong, Cotton, Harken, Holding, Hunter, Jarussi, Phillips, Taylor. Total, 8.

House Bill No. 205 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 84.

Noes: None.

Absent and not voting: Armstrong, Cotton, Ganson, Harken, Holding, and Jarussi. Total, 6.

House Bill No. 213 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 82.

Noes: None.

Absent and not voting: Armstrong, Cotton, Harken, Harpster, Holding, Phillips, Tierney and Wiedman. Total, 8.

Moved by Loble that the House recess until 2:00 P.M. this day.

House resumed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 182 respectfully report as follows: That House Bill No. 182 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 be amended as follows:

On line 11, Page 1 of the original bill, that the word "seventeen" be amended to read "sixteen."

and as amended, do pass.

Report adopted.

HARLOW, Chairman.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

Report adopted.

JARUSSI, Chairman.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be concurred in.

Report adopted.

JARUSSI, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do pass.

Report adopted.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do pass.

Report adopted.

BURNS, Chairman.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

HALL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

HALL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 315 respectfully report as follows: That House Bill No. 315 be referred to the Appropriations Committee.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44 be amended by striking out the last four words of the title "Beaver on Public Lands.", and adding in lieu thereof the following words: "Reduce and control beaver on public lands by entering into co-operative agreements with public land administrators, licensed trappers, to define trapper units, placing a limit on numbers of beaver removed, and providing for disposition of pelts." Be further amended in Section 1 of the original typewritten bill by striking out all of Section 1, following the words "authority to" in line 8, and inserting in lieu thereof the following words "establish beaver management units along the waters of such public lands, to select qualified licensed trappers to trap beaver from such units and to enter into co-operative agreements with the agency administering such lands and with the trapper assigned to each unit. The co-operative agreement shall designate the boundaries of such management units and shall by supplement designate the number of beaver which may be removed from time to time as prescribed by the commission in writing and shall designate the per cent of the beaver pelts not to exceed fifty per cent (50%) which shall be retained by the commission to defray administrative costs and shall state such other rules and regulations as the commission shall prescribe relative to removal of beaver, care of pelts, tagging and division of pelts. All beaver trapped under such agreement shall be subject to the tagging regulations as provided for in Section 3722, R. C. M. 1935, as amended by Section 15 of Chapter 224, Laws of 1947, and shall be sold within the State of Montana. The management units established by the commission as provided for in this act shall be limited in size according to habitat so that not to exceed fifty (50) beaver shall be removed annually per unit. Any trapper selected to trap such management units

as herein provided shall be limited to the trapping of one such unit." and as so amended recommend that Senate Bill 44 be concurred in.

FISH AND GAME COMMITTEE,  
BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do not pass.

But that Substitute House Bill No. 141: A bill for an act entitled: "An act designating the salaries of the Governor, Justices of the Supreme Court, Attorney General, Secretary of State, Superintendent of Public Instruction, State Treasurer, State Auditor and the Clerk of the Supreme Court; and providing that such salaries shall not include any traveling, lodging or subsistence incidental to official duties of said officers; and repealing Sections 128, 200, 436, and 8796 of the Revised Codes of Montana, 1935, Section 375 of the Revised Codes of Montana, 1935, as amended by Chapter 64 of the Session Laws of the Twenty-ninth Legislative Assembly of the State of Montana, 1945; Section 949 of the Revised Codes of Montana, 1935, as amended by Chapter 177 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947; and amending Section 378 of the Revised Codes of Montana, 1935, relating to the duty of and compensation for reporting decisions by the Justices of the Supreme Court by removing from said section the provisions for such compensation; and amending Section 162 of the Revised Codes of Montana, 1935, relating to the duties of and Compensation for the State Auditor in his ex-officio capacity as Commissioner of Insurance by removing therefrom the provisions providing for such compensation; repealing all acts and parts of acts in conflict herewith; and providing that this act shall be in full force and effect on and after its passage and approval." do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill Nos. 75, 76 and 86.

WIEDMAN, Chairman.

I have examined House Bill No. 75 introduced by me and find the same to be correct.

McKENNA, Vice Chairman  
Committee on Judiciary.

House please take notice that the Speaker is about to sign House Bill No. 75.

I have examined House Bill No. 76 introduced by me and find the same to be correct.

BURNS, Chairman.  
Committee on Military Affairs.

House please take notice that the Speaker is about to sign House Bill No. 76.

I have examined House Bill No. 86 introduced by me and find the same to be correct.

BURNS, Chairman.  
Committee on Military Affairs.

House please take notice that the Speaker is about to sign House Bill No. 86.

#### MOTIONS AND RESOLUTIONS

Moved by Taber that House Bill No. 348 be taken from the Committee



on Agriculture and be re-referred to the Committee on Revenue and Taxation. Carried.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Bill No. 29 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Mernin, Michels, Mulrone, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total, 78.

Noes: None.

Absent and not voting: Armstrong, Cotton, Ewing, Harken, Harlow, McElwain, Martin, Nixon, O'Neil, Phillips, Tierney, and Working. Total, 12.

Moved by Loble that the House adjourn until 10:00 A. M. Tuesday, February 8, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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### THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 8, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the 36th Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 190, 245, 255, 257, 271 and House Joint Resolution No. 3 have been returned correctly printed.

O'NEIL, Chairman.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had

under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 be re-referred to the Appropriations Committee.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 be amended as follows:

By striking out in the title of the bill the words "having a population in excess of 20,000 or more,"

By striking out in Section 1, Lines 22 and 23, the comma after the word "Montana" and the words "having a population of twenty thousand (20,000)."

And as amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 be amended as follows:

In the title, by striking out the words "and relieving cities and towns from damages caused by the condition, building, repairing and maintaining same;".

By placing a period after the word "expense" in Line 14 and striking out the words "and the cities and towns shall not be liable for damages resulting from the condition, building, repairing and maintaining the same".

And as amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 do pass.

DUNCAN, Chairman.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 7, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Bill No. 150 by Agriculture Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 7, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 73 by Stockgrowing and Grazing.

Senate Bill No. 75 by Worden et al.

Senate Bill No. 77 by Worden et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Loble that the printing of House Resolution No. 2 be dispensed with. Carried.

Moved by McCarthy that House Bill No. 113 be taken from Committee on Revenue and Taxation and be printed and placed on General Orders. Motion lost.

### INTRODUCTION OF BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees:

#### SENATE BILLS

Senate Bill No. 73, introduced by Stockgrowing and Grazing Committee: A bill for an act entitled: "An act to amend Section 3307 of the Revised Codes of Montana of 1935, relating to fees for recording and re-recording of marks and brands and for furnishing certified copies of such record, and disposition of such fees." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 74, introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 1, of Chapter 59 of the Laws of the Twenty-eighth Legislative Assembly of 1943, as amended by Chapter 176 of the Laws of the Twenty-ninth Legislative Assembly of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of 1947, relating to inspection of livestock before removal from county, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 75, introduced by Haynes, Angstman, Burke and Worden: A bill for an act entitled: "An act to amend Section 5932, R. C. M., 1935, relating to corporation by-laws, records and amendment thereof; to provide that the same may be printed, typewritten or photographed; making the same retroactive." Referred to Committee on Judiciary.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting and that Senate Amendments to House Bills be first considered on General Orders. Carried.

Mr. Speaker appointed Page of Granite to take the Chair. Committee arose.

House resumed. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That Senate Amendments to House Bill No. 30 be concurred in.

That Senate Amendments to House Bill No. 78 be concurred in.

That Senate Amendments to House Bill No. 21 be concurred in.

That Senate Amendments to House Bill No. 40 be concurred in.

That House Bill No. 22 do pass.

That House Bill No. 246 do pass.

That House Bill No. 247 do pass.

That House Bill No. 127 do pass.

That Substitute House Bill No. 123 do pass.

That Substitute House Bill No. 124 do pass.

That Substitute House Bill No. 126 do pass.

That Substitute House Bill No. 128 do pass.

That House Bill No. 280 do pass.

That House Bill No. 244 be taken from General Orders and be re-referred to the Committee on State Lands.

That House Bill No. 258 do pass.

That House Bill No. 263 do pass.

That House Memorial No. 3 do pass.

That House Joint Resolution No. 4 do pass.

That House Joint Memorial No. 6 do pass.

That House Bill No. 171 be amended in line 1 after Section 1, the following: Section 1. That Section 1135, Revised Codes of Montana 1935, be, and the same is hereby amended to read as follows, and as so amended, recommend that House Bill No. 171 do pass.

PAGE (Granite), Chairman.

Report adopted.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 78 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulronev, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker:

Ayes: Total, 80.

Noes: Dusak and Jensen.

Absent and not voting: Blenkner, Bricker, Duncan, Foley, Harpster, Koch, Mernin, O'Neil. Total, 8.



Senate Amendments to House Bill No. 21 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Tierney, Tripp, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 79.

Noes: Martin, Mulroney, Phillips, Skibby, Taylor and Trout. Total, 6.

Absent and not voting: Blenkner, Clark (Silver Bow), Duncan, Esp and Koch. Total, 5.

Senate Amendments to House Bill No. 30 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Aronow and Mr. Speaker.

Ayes: Total, 86.

Noes: None.

Absent and not voting: Blenkner, Culbertson, Duncan and Martin. Total, 4.

Senate Amendments to House Bill No. 40 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker:

Ayes: Total, 83.

Noes: None.

Absent and not voting: Blenkner, Duncan, Karlberg, Mernin, Michels, Standish and Tripp. Total, 7.

#### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 421 be taken from Highways and

Highway Transportation and referred to Committee on Revenue and Taxation.

Moved by Loble that the House Recess until 2:00 P. M.

House resumed.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 172, 189, 288, 305 and Substitute House Bill No. 163 have been returned correctly printed.

O'NEIL, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 be re-referred to the Judiciary Committee.

MICHELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do pass.

MICHELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do not pass.

DOMKE, Chairman.

Substitute motion by McCarthy that House Bill No. 113 be printed and placed on General Orders with a demand for a roll call and entry in the Journal. There being a sufficient number of seconds, the following roll call was taken.

Ballard, Brenner, Clark (Silver Bow), Cunningham, Dwyer, Emmons, Ewing, Foley, Goodgame, Gunderson, Hunter, Jensen, Loughran, McCarthy, Mernin, Mulroney, Oliver, Page (Granite), Phillips, Robertson, Rostad, Smith, Tierney and Wilson (Treasure).

Ayes: Total, 24.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Esp, Frerich, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Helding, Hess, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McElwain, Michels, Nixon, O'Neil, Peters, Peterson, Pierce, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Working and Mr. Speaker: Total, 61.

Absent and not voting: Aronow, Blenkner, McKenna, Martin and Page (Missoula). Total, 5.

Motion lost.

Report of committee adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 be amended as follows: by striking out in Section

6 Line 10 of the original bill the words and figures "Six Hundred Dollars (\$600.00)" and inserting in lieu thereof the words and figures:

"Three Hundred Dollars (\$300.00) for each Five Cent Slot Machine, Three Hundred and Fifty Dollars (\$350.00) for each Ten Cent Slot Machine, Four Hundred Dollars for each Twenty-Five Cent Slot Machine, Five Hundred Dollars (\$500.00) for each Fifty Cent Slot Machine, Six Hundred Dollars (\$600.00) for each Dollar Slot Machine,"

and be amended further: by striking out in Section 6 Line 11 the words, "for each slot machine"

and as amended House Bill No. 138 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended as follows:

Page 1, Section 1: Line 4 of title: Strike out word "new" and before the word "motor vehicles"

Line 6: After the word "subject" and before the word "tax" insert the word "use" tax

Line 9: after the word "said" and before the word "tax" insert the word "use"

Line 16: strike out the word "new"

Line 18: after the letter "a" and before the word "tax" insert the word "use"

Line 18: Strike out in line 18 after the word "assessed" and insert the words "and not subject to assessment and taxation in Montana"

Line 21: after the letter "a" and before the word "tax" insert the word "use"

Line 22: after the letter "a" and before the word "tax" insert the word "use"

Line 23: after the letter "a" and before the word "tax" insert the word "use"

Line 24: after the letter "a" and before the word "tax" insert the word "use"

Section 2: Line 25, after the word "the" and before the word "tax" insert the word "use"

Section 3: Line 29 after the word "the" before the word "tax" insert the word "use"

Line 30: delete the word "new"

Sec. 1, Line 24: After the word "and" strike "January 1" and insert "December 31, inclusive"

and as amended, recommend that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be amended as follows:

Page 1, Line 3, after the words "An Act to Amend" insert the words and figures "Section 2396.4, Revised Codes of Montana, 1935, As Amended By"

Line 6, in the title thereof, after the words "Fixing Penalties" insert the words "providing for a secondary highway maintenance fund in each county".

Line 24: Strike out the words "the amount of such tax per gallon" and insert in lieu thereof the words and figures "five cents (5c)"

Line 25: After the words "so purchased and used" insert the following words "and the difference between such amount of refund and the amount of tax actually paid, as set by law, shall be by the State Treasurer paid to each county in proportion to the number of refund claims actually allowed from such county to be deposited in a separate county fund to be known as the "Secondary Highway Maintenance Fund" and to be used by such county for maintenance of Federally aided secondary highways in such county; at the end of each fiscal year any moneys remaining in such county "Secondary Highway Maintenance Fund" not required for maintenance of Federally aided Secondary Highways shall be by the County Treasurer transferred to the County General Road Fund"

Line 27: After the words "refund or drawback of" insert the words "the whole of"

Page 4, Line 7: Strike out the words "of the tax imposed" and insert in lieu thereof the words "as provided herein".

and as amended, recommend that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do not pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 be re-referred to the Committee on Insurance.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 be amended as follows:

On line 21, Page 1, delete the word "taxation" and insert in lieu thereof, the word "income".

And as amended do pass.

HARLOW, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 8, 1949.

The Speaker of the House,  
House of Representatives,  
Helena, Montana.

Silicosis payments made under Chapter 5, Laws of 1941, as amended, which now are \$40 a month, are inadequate in light of present-day living costs.

I therefore most earnestly recommend to the Legislature that the pro-

visions of the existing law be carefully scrutinized with the view of seeing to it that the sufferers of this disease, who cannot engage in gainful occupations, receive a substantial increase in their payments..

JOHN W. BONNER,  
Governor.

Speaker referred the foregoing letter to the Committee on Appropriations.

The Governor informed the House that he had taken the following action on House measures:

House Joint Memorial No. 2, approved.

House Joint Memorial No. 5, approved.

House Bill No. 65, approved.

House Bill No. 75, approved.

House Bill No. 76, approved.

House Bill No. 86, approved.

JOHN W. BONNER,  
Governor.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 8, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Mileage and Per Diem Committee and we are returning the bill to the House.

House Bill No. 157 by Barnard et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills No. 35, 77, 87, 118, 120, 131, 133, 135, 136, 137 and 143.

WIEDMAN, Chairman.

I have examined House Bill No. 35 introduced by me and find the same to be correct.

DOMKE, Chairman.

The Speaker announced that he was about to sign House Bill No. 35.

I have examined House Bill No. 77 introduced by me and find the same to be correct.

BURNS.

The Speaker announced that he was about to sign House Bill No. 77.

I have examined House Bill No. 87 introduced by me and find the same to be correct.

ESP.

The Speaker announced that he was about to sign House Bill No. 87.



I have examined House Bill No. 118 introduced by me and find the same to be correct.

BALLARD.

The Speaker announced that he was about to sign House Bill No. 118.

I have examined House Bill No. 120 introduced by me and find the same to be correct.

BALLARD.

The Speaker announced that he was about to sign House Bill No. 120.

I have examined House Bill No. 131 introduced by me and find the same to be correct.

DUNCAN.

The Speaker announced that he was about to sign House Bill No. 131.

I have examined House Bill No. 133 introduced by me and find the same to be correct.

DUNCAN.

The Speaker announced that he was about to sign House Bill No. 133.

I have examined House Bill No. 135 introduced by me and find the same to be correct.

DUNCAN.

The Speaker announced that he was about to sign House Bill No. 135.

I have examined House Bill No. 136 introduced by me and find the same to be correct.

DUNCAN.

The Speaker announced that he was about to sign House Bill No. 136.

I have examined House Bill No. 137 introduced by me and find the same to be correct.

DUNCAN.

The Speaker announced that he was about to sign House Bill No. 137.

I have examined House Bill No. 143 introduced by me and find the same to be correct.

O'NEIL.

The Speaker announced that he was about to sign House Bill No. 143.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 202 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Helding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor,

Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Duncan and Mr. Speaker.

Ayes: Total, 86.

Noes: None.

Absent and not voting: Anderson (Hill), Brenner, Clark (Silver Bow), and Krieg. Total, 4.

House Bill No. 234 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 78.

Noes: None.

Absent and not voting: Anderson (Hill), Brenner, Domke, Dwyer, Harlow, Karlberg, Krieg, McElwain, McKenna, Mernin, O'Neil, and Taylor. Total, 12.

House Bill No. 233 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulrone, Nixon, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 78.

Noes: Page (Granite). Total, 1.

Absent and not voting: Anderson (Hill), Brenner, Bricker, Harlow, Karlberg, Krieg, Mernin, McKenna, O'Neil, Taylor and Van Dyke. Total, 11.

House Bill No. 193 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loughran, McCarthy, McElwain, Martin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 75.

Noes: None.

Absent and not voting: Anderson (Hill), Aronow, Brenner, Bricker, Cotton, Harlow, Krieg, Loble, MacDonald, McKenna, Mernin, O'Neil, Taber, Taylor and Wiedman. Total, 15.

House Bill No. 238 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure) and Mr. Speaker:

Ayes: Total, 67.

Noes: Brenner, Corcoran, Duppler, Frerich, Oliver, Page (Granite), Sales, Wilson (Judith Basin) and Working. Total, 9.

Absent and not voting: Anderson (Hill), Bricker, Cotton, Harlow, Krieg, MacDonald, McKenna, Mernin, O'Neil, Taber, Taylor and Wiedman, Esp and Peterson. Total, 14.

House Bill No. 235 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 71.

Noes: Culbertson, Ewing, Hall, Laas, Page (Granite), Phillips, Skibby. Total, 7.

Absent and not voting: Anderson (Hill), Armstrong, Cotton, Harlow, Krieg, MacDonald, McKenna, Mernin, O'Neil, Taber, Taylor and Wiedman. Total, 12.

### MOTIONS AND RESOLUTIONS

House Resolution No. 3, introduced by Holding, Karlberg, Mulroney and Page (Missoula): A House Resolution to the memory of Edgar Samuel Paxson, artist, painter and writer.

Whereas, Montana may proudly acclaim many of its distinguished citizens in the field of politics, statesmanship, adventure, art and music, and

Whereas, among such, was one whose talents have provided the people of Montana with works of art in the field of paintings depicting early history of our state which are so realistically recorded in the halls of our Capitol and in the House of Representatives and Senate, so that posterity

may ever be reminded of the pioneer spirit which made our state so great, and

Whereas, it is fitting that this Thirty-first Legislative Assembly pay tribute to the memory of one of those distinguished and famous citizens, the late Edgar Samuel Paxson, and

Whereas, Edgar Samuel Paxson was born April 25, 1852 at East Hamburg, N. Y., now called Orchard Park. He attended the district school and Friends' Institute, a Quaker boarding school. He then went into the carriage painting business with his father, William Hambleton Paxson. A yearning to pioneer in the Great West made him leave New York in 1877, and he left for Montana and located in Deer Lodge where he gained his first knowledge of the western Indians. In 1881 he moved with his family to Butte, Montana and established a home. Here he did decorative sign painting and also designed and painted theater curtain drops. He also wrote for "The American Field", a sportsman's journal, articles about trap shooting and subjects of interest to the hunter. He used the name of "Pistol Grip", and also drew cartoons for this magazine.

Mr. Paxson was always friendly with the Indians and he became interested in painting them to help preserve their history and customs for the future. He built a studio in Butte where the Indian was always welcome to come. He made a marvelous collection of curios of the Indian and things pertaining to the life of the West. He did his painting in this studio which held many fascinating articles such as beaded and quilled bags and buckskin apparel, moccasins, Indian war bonnets, guns, tomahawks, bows, arrows, beautiful Indian blankets. He taught himself to converse with these friends of his by signs and through a meager knowledge of the Indian language and dialect. The Indians were always willing to pose for their pictures and many were painted from life.

After his return from the Spanish-American campaign he finished "Custer's Last Stand" in 1899. In 1906 he moved his studio to Missoula where he devoted his entire time to painting. He was commissioned in 1912 to do some murals for the House Lobby in the State Capitol at Helena. In 1912 also he began a group of murals depicting early Montana history for the Missoula County Court House. These he finished in 1914 and are a source of never failing interest to people of the community and to visitors to Missoula.

Mr. Paxson passed away November 9, 1919, at Missoula, Montana.

Now, Therefore,

Be It Resolved, by the House of Representatives of the State of Montana in regular session assembled, that it does hereby recognize the immeasurable contribution to the State of Montana by its late distinguished citizen, Edgar Samuel Paxson, and

Be It Further Resolved, that a copy of this Resolution be spread on the Journal of the House of Representatives, a copy forwarded to the relatives of Edgar Samuel Paxson, and a copy furnished to the press.

Moved by Loble that the foregoing Resolution be adopted and the printing thereof be dispensed with. Carried.

Moved by Loble that the House adjourn until 10:00 A. M., Wednesday, February 9, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 9, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Thirty-seventh Legislative day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 296, 167, 192, 332, and Substitute House Bill 111 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 127, 263, 258, 280, 246, 247, 171, 222, Substitute House Bills Nos. 123, 124, 126, 128, House Joint Memorial No. 6, House Memorial No. 3 and House Joint Resolution No. 4.

VAN DYKE, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 be referred to Committee on State Lands.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 be amended as follows:

In the title in the second line the figure "162" be substituted for "62" and that in line 10 the figure "162" be substituted for "62".

And as amended, recommend that bill do pass.

EMMONS, Chairman.

Report adopted.



Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 66, respectfully report as follows: That Senate Bill No. 66 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 be re-referred to Agricultural Committee.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 415, respectfully report as follows: That House Bill No. 415 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do not pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Aviation, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 be amended as follows:

In Section 1, line 25, after the word "each" strike out the words "six cents" and insert in lieu thereof the following, "the amount", be further amended by inserting in line 26, Section 1, following the word "now" the words "or hereafter" and in the same section, page 2, line 7, strike out after the word "from" the words "six cents to five cents" and inserting in lieu thereof the words "the amount of such tax per gallon the sum of one cent" and as so amended recommend that House Bill No. 291 do pass.

Aviation Committee,  
LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 be amended as follows:

In line 14 of the original bill, insert following the word "election," the words "not less than twenty-five (25) percentum of the qualified voters entitled to vote on such question at such election must vote thereon, otherwise such question shall be deemed to have been rejected; provided, however, that if twenty-five (25) per centum or more of such qualified electors do vote on such question at such election,"

And as amended the bill do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 be referred to Committee on Appropriations.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 be amended as follows:

In line 15 of the original typewritten bill underline the word "Any". In line 19 of the original typewritten bill strike the words "and adequate" and further amend by striking all of Section 2, and as amended recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 be amended as follows:

On page 2, of the original typewritten bill, in line 3 strike the word "and", and amend further by inserting after the word "gas" the words "and other hydrocarbons".

And further amend the original typewritten bill on page 3, line 8, by putting a "comma" after the word "oil" and strike the word "and", and after the word "gas" insert the words "and other hydrocarbons" and, as amended, recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 be amended as follows:

In line 6, of the original typewritten bill in the title, strike the words "thirty-sixth" and insert in lieu thereof the words "twenty-seventh" amend further in line 30, of the original typewritten bill, by striking the words "twenty-seventh", and as amended recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 be amended as follows:

On page 2, line 10, of the original typewritten bill, after the word "re-

new" insert the words "or transfer" and as amended recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do pass.

Committee on Fish and Game,  
BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do pass.

Committee on Fish and Game,  
BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do pass.

Committee on Fish and Game,  
BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

Committee on Fish and Game,  
BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

Committee on Fish and Game,  
BALLARD, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 8, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, as amended, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 23 by Haight

Senate Bill No. 21 by Busch.



Senate Bill No. 56 by Valiton and Henderson.

Senate Bill No. 74 by Committee on Stock Growing and Grazing.

Senate Bill No. 76 by Angstman et al.

Senate Bill No. 48 by Moss.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 8, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate signed the following House Bills in open session this day.

House Bill No. 35.

House Bill No. 77.

House Bill No. 87.

House Bill No. 118.

House Bill No. 120.

House Bill No. 131.

House Bill No. 133.

House Bill No. 135.

House Bill No. 136.

House Bill No. 137.

House Bill No. 143.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 8, 1949.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and the following actions taken:

House Bill No. 159 by Tripp et al was concurred in.

House Bill No. 142 by Wiedman, was recommended for non-concurrence by the Fish and Game Committee.

House Bill No. 164 by Domke, was recommended for non-concurrence by the Taxation Committee.

House Bill No. 51 by Bricker, was concurred in as amended, title and history agreed to and returned to House for concurrence in Senate amendments.

House Bill No. 103 by Committee on Livestock and Public Ranges, was concurred in as amended, title and history agreed to and returned to the House for concurrence in Senate amendments.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## MOTIONS AND RESOLUTIONS

Moved by Jarussi that the House reconsider its action of yesterday in adopting an adverse committee report of the Committee of Affairs of Cities on House Bill No. 249. Motion lost.

## INTRODUCTION OF SENATE BILLS

The following measures were introduced, read first and second times, and referred to committees.

Senate Bill No. 48, introduced by Moss: A bill for an act entitled: "An act to amend Chapter 118 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to contracts for public printing, fixing the prices therefor, providing for a penalty for violation of the provisions of this act, repealing Chapter 250 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, and repealing all other acts, or parts of acts, in conflict therewith." Referred to Committee on Townships and Counties.

Senate Bill No. 76, introduced by Angstman, Burke, Haynes and Worden: A bill for an act entitled: "An act to amend Sections 10210, 10211 and 10212 of the Revised Codes of Montana, 1935, prescribing when an executor and administrator may sell property of the estate, the contents of a petition for sale and when the court may order interested persons to appear." Referred to Committee on Judiciary.

Senate Bill No. 74, introduced by Committee on Stock Growing and Grazing: A bill for an act entitled: "An act to amend Section 1, of Chapter 59 of the Laws of the Twenty-eighth Legislative Assembly of 1943, as amended by Chapter 176 of the Laws of the Twenty-ninth Legislative Assembly of 1945, as amended by Chapter 210 of the Laws of the Thirtieth Legislative Assembly of 1947, relating to inspection of livestock before removal from county, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 56, introduced by Valiton and Henderson: A bill for an act entitled: "An act authorizing the State Fish and Game Warden to make payment to counties in lieu of taxes for the purpose of reimbursing said counties, either in whole or in part, for loss of taxes on real property resulting from the acquisition of land for the use and benefit of the Fish and Game Commission, and providing for the allocation of such funds to school districts effected by the acquisition of such lands." Referred to Committee on Fish and Game.

Senate Bill No. 21, introduced by Busch: A bill for an act entitled: "An act providing for the use of parking meters by incorporated cities and towns of twenty-five hundred (2500) population or less, and providing for the submission of the question to qualified electors." Referred to Committee on Affairs of Cities.

Senate Bill No. 23, introduced by Haight: A bill for an act entitled: "An act to amend Section 2 of Chapter 28 of the Session Laws of Montana of 1945, relating to elections; providing for the preparation of lists of qualified electors and poll books; requiring the stamping of the word 'taxpayer' opposite the name of each voter appearing on the poll books who is a taxpayer upon property within the state and whose name appears upon the last completed assessment roll of some county in the State of Montana." Referred to Committee on Privileges and Elections.

## CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into Committee of the Whole for consideration of business under General Orders under rules of the previous sitting.

Mr. Speaker appointed Burns of Flathead to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 190 do pass.

That House Bill No. 245 do pass.

That House Bill No. 255 do pass.

That House Bill No. 271 do pass.

That House Bill No. 288 do pass.

That House Bill No. 138 do pass.

That House Bill No. 257 do pass.

That House Joint Resolution No. 3 do pass.

That House Bill No. 172 do pass.

That House Bill No. 189 do pass.

That House Bill No. 305 do pass.

That Substitute House Bill No. 163 do pass.

That Senate Amendments to House Bill No. 103 be concurred in.

That Senate Amendments to House Bill No. 51 be concurred in.

That House Bill No. 34 do pass.

BURNS, Chairman.

Report adopted.

Moved by Loble that the House recess until 2:00 P. M. this day.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 138.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 334, 239, 182, 333, 248, 210, 106, 324, 211 and Substitute House Bill No. 141 have been returned correctly printed.

O'NEIL, Chairman.

February 8, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bills Nos. 35, 77, 87, 133, 135, 143, 136, 137 and 131.

JOHN W. BONNER,  
Governor,

By W. C. Blanchette,  
Sec'y.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that Substitute House Bill No. 167 was incorrectly reported as printed and that the printing report be so amended to delete this bill from those listed as correctly printed.

O'NEIL, Chairman.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 127, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, and Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Armstrong, Dokken, Duncan, Dusak, Frerich, Mernin, Oliver, Pierce, Standish, and Tierney. Total 10.

House Bill No. 263, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 79.

Noes: Mernin, Taylor, Tripp, and Wilson (Judith Basin). Total 4.

Absent and not voting: Bricker, Cunningham, Duncan, Dusak, McElwain, Pierce, and Tierney. Total 7.

House Bill No. 258, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Clark

(Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 81.

Noes: None.

Absent and not voting: Anderson (Hill), Barnard, Clark (Musselshell), Duncan, Dusak, Dwyer, Jensen, McElwain, and Tierney. Total 9.

House Bill No. 280, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Armstrong, Aronow, Ballard, Brenner, Bricker, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Gunderson, Hall, Hawks, Haytin, Hoiness, Howard, Hunter, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Trout, Van Dyke, Westlake, and Williams.

Ayes: Total 52.

Noes: Anderson (Phillips), Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Cotton, Domke, Duppler, Ganson, Goodgame, Harken, Harlow, Harpster, Holding, Hess, Holtz, Jarussi, Jensen, Koch, MacDonald, Michels, O'Neil, Peterson, Skibby, Taylor, Tripp, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 32.

Absent and not voting: Anderson (Hill), Duncan, Dusak, Dwyer, Martin, and Tierney. Total 6.

House please take notice that the Speaker is about to sign Senate Bill No. 29.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 1.

WIEDMAN, Chairman.

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BRICKER.

House please take notice that the Speaker is about to sign House Joint Resolution No. 1.

House Bill No. 246, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.



Ayes: Total 80.

Noes: None.

Absent and not voting: Anderson (Hill), Blenkner, Bricker, Cunningham, Duncan, Dusak, Hall, Harlow, Howard, and Taber. Total 10,

House Bill No. 247, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 84.

Noes: None.

Absent and not voting: Anderson (Hill), Duncan, Dusak, Holding, Oliver, and Williams. Total 6.

House Bill No. 222, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 82.

Noes: Goodgame. Total 1.

Absent and not voting: Anderson (Hill), Cunningham, Duncan, Dusak, MacDonald, Tierney, and Wilson (Judith Basin). Total 7.

House Bill No. 171, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 76.

Noes: Anderson (Phillips), Duppler, Oliver, Phillips, Sales, Taylor, Wiedman, and Wilson (Treasure). Total 8.

Absent and not voting: Clark (Musselshell), Clark (Silver Bow), Cunningham, Dusak, Gebhardt, and Tierney. Total 6.

Substitute House Bill No. 123, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson, (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Working.

Ayes: Total 82.

Noes: None.

Absent and not voting: Bricker, Dusak, Hall, Holding, Loughran, Martin, Taylor and Mr. Speaker. Total 8.

House Bill No. 124, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 87.

Noes: None.

Absent and not voting: Bricker, Dusak, and Taylor. Total 3.

Substitute House Bill No. 126, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 86.

Noes: None.

Absent and not voting: Bricker, Dusak, Nixon, and Taylor. Total 4.

Substitute House Bill No. 128, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 87.

Noes: None.

Absent and not voting: Bricker, Dusak, and Karlberg. Total 3.

Moved by Loble that House Bill No. 138 be passed for the day. Carried.

House Joint Memorial No. 6, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Hunter and Mr. Speaker.

Ayes: Total 80.

Noes: None.

Absent and not voting: Bricker, Clark (Musselshell), Clark (Silver Bow), Duncan, Dusak, Mernin, Oliver, O'Neil, Westlake and Working. Total 10.

House Joint Memorial No. 3, was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker.

Ayes: Total 78.

Noes: None.

Absent and not voting: Anderson (Hill), Bricker, Duncan, Dusak, Hess, Laas, Mernin, Peters, Pierce, Standish, Westlake and Working. Total 12.

House Joint Resolution No. 4 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 78.

Noes: None.

Absent and not voting: Anderson (Hill), Bricker, Dusak, Gunderson, Harlow, Holtz, Hunter, Mernin, O'Neil, Skibby, Westlake and Working. Total 12.

Moved by Loble that we be on order of business No. 4, reports of Standing Committees.

Objected on point of order.

Chair overruled.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 do not pass.

Committee on Liquor Control,  
TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do pass.

Committee on Liquor Control,  
TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do not pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 be amended to read as follows:

By striking out in line 17, after the comma, the remainder of lines 17, 18, 19 and 20 and inserting in lieu thereof, the following words:

"Except that on all new construction and the rebuilding of present construction, the series street lighting wires may be placed on the outer pin positions of the secondary cross-arm and shall be properly designated on the cross-arm as the series street lighting circuit."

And that Section 1 be further amended by striking out after the comma in line 29, the remainder of lines 29, 30 and 31, and inserting in lieu thereof the following words:

"Except where transformers with cover mounted primary bushings and without primary fused cutouts are mounted within three (3) feet of the top of the pole on vertical type construction, bare or weather proof wire may be used for primary taps to transformers."

And that in Section 2, be amended by striking out all of line 13 and the following words in line 14:

"Said conduit or molding," and inserting in lieu thereof, "in a casing equal in durability and insulating efficiency to a wooden casing not less than one and one-fourth (1¼) inches thick; provided however, that the said casing"

And that, as amended, the bill do pass.

DWYER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 and recommend that House Bill No. 373 be amended as follows: In Section 1, line 19, following the word "be", strike out the figures \$3,000.00, and insert in lieu thereof \$4,200.00 as amended do pass.

GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Majority Committee on Liquor Control, having had under consideration House Bill No. 216, respectfully report as follows: That House bill No. 216 do not pass.

BLENKNER,  
HALL,  
GEBHARDT,  
CORCORAN,  
SCOFIELD,  
LAAS.

Mr. Speaker: We, your Minority Committee on Liquor Control, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

TIERNEY,  
McCARTHY,  
SMITH.

Moved by Blenkner that the report of the Majority on House Bill No. 216 be adopted.

Moved by Tierney that as a substitute motion that the report of the Minority be adopted. Substitute motion lost.

Majority report adopted.

Moved by Loble that the House adjourn until 10:00 A. M. Thursday, February 10, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.



## THIRTY-NINTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana.  
February 10, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Journal beg to report that we have examined the Journal for the Thirty-eighth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 259, 260, 261, 270, 274 and 300 have been returned correctly printed.

O'NEIL, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 321, respectfully report as follows: That That House Bill No. 321 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do not pass.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 be concurred in.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 38, respectfully report as follows: That Senate Bill No. 38 be concurred in.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be amended as follows:

On Page 2, Line 5, Section 1, by inserting after the word "member" the words "representing the general public and familiar with the livestock industry."

That Section 2, Lines 26 and 27, be amended by deleting all of said section and inserting in lieu thereof the following: "That Section 9 of Chapter 208, Session Laws of 1939, as amended by Chapter 199 of the Session Laws of 1945, be, and the same is hereby amended to read as follows:

"Section 9. Whenever three or more persons who own or control commensurate property and are livestock operators within the area proposed to be created into a state district, shall decide to incorporate a state district, they shall submit a statement in writing to the commission together with a plat showing the proposed boundaries of the area. Such statement shall set forth the name of the proposed state district; the county or counties in which such proposed state district is located; and the names and addresses of all operators of land and livestock units within said area. The commission may then require any additional information it may deem necessary. On receipt of said statement and plat and such additional information, the commission shall fix the time and place of a hearing for approval within the district or county, which shall not be less than thirty days or more than sixty days after receipt of said statement. The persons deciding to incorporate said state grazing district shall then cause notice of said hearing to be given by publishing a notice prescribed by the commission once a week for two consecutive weeks, the first publication to be at least thirty days prior to the date of hearing, in a newspaper of general circulation in such area. The secretary, for and on behalf of the commission, shall hear evidence offered in support of, or in opposition to the creation of said state district, and shall make a full inquiry into the advisability of the creation thereof; the record taken upon the hearing, together with the report of the secretary, shall be submitted to the commission. If the creation of said state district shall appear feasible, beneficial and desirable to a majority of the operators of land and livestock units to be included in such district the commission may issue a certificate of approval."

That Section 9, Lines 28 and 29, be amended by deleting all of said section and inserting in lieu thereof, the following: "That Section 20 of Chapter 208 of the Session Laws of 1939, as amended by Chapter 199 of the Session Laws of 1945, be, and the same is hereby amended to read as follows:

"Section 20. When a state district is organized, grazing preferences shall be distributed in the following manner: Any member of a state district owning or controlling dependent commensurate property as heretofore defined may be given a grazing preference. If the carrying capacity of the range exceeds the reasonable needs of members owning or controlling dependent commensurate property, members owning or controlling commensurate property shall have the preference. If the carrying capacity of the range exceeds the reasonable needs of members owning or controlling dependent commensurate property, members owning or controlling commensurate property shall have the preference. If the carrying capacity of the range exceeds the reasonable needs of members owning or controlling dependent commensurate property or commensurate property, temporary grazing permits may be issued to non-members or members, preferring those that have used the range for any three or any two consecutive years in the five-year period immediately preceding June 28, 1934; or, in the case of districts organized after March 15, 1945, preferring those that have used the range for five (5) years immediately preceding the organization of such districts. Such temporary permits shall be merely privileges granted from year to year and their possession shall not establish a preference except as hereinafter provided. When such temporary permit is utilized by a permittee in connection with forage producing lands owned or controlled by such permittee within or near the district for a period of any combination of four years out of five, then the forage producing lands owned or controlled by such permittee may be considered dependent commensurate property, and upon application, the district may accordingly grant such permittee membership and preference in the districts providing an application had been made for temporary rights for each of the five years.

Provided, however, that no temporary permit, as herein provided, shall become permanent in any such way, or manner, as to create a right or increase a permanent right to an amount in excess of two hundred (200) animal units."

That a new section, Section 10, be added to the bill, reading as follows: "All acts and parts of acts in conflict herewith are hereby repealed."

That a new section, Section 11, be added to the bill, reading as follows: "This act shall be in full force and effect from and after its approval."

And as amended, do pass.

CLARK (Musselshell), Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 9, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Education Committee, report adopted, and the same is herewith returned to the House:

House Bill No. 52 by Harlow.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 9, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Judiciary Committee, report adopted, and the same is herewith returned to the House:

House Bill No. 41 by Foley and Dwyer.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Trout that House Bill No. 182 be taken from General Orders and further consideration be postponed for one week. Carried.

Moved by Nixon that House Bill No. 191 be taken from General Orders and be re-referred to the Committee on Highways and Highway Transportation. Carried.

Moved by Hoiness that we reconsider our action in adopting an adverse report by the Liquor Committee on House Bill No. 216.

Moved by Mernin that a demand for a roll call vote be made. There not being a sufficient number of seconds, the motion lost.

Motion adopted.

Moved by Hoiness that House Bill No. 216 be printed and placed on General Orders. Carried.

Moved by Culbertson that the House reconsider its action of yesterday in adopting an adverse report of the Committee on Workmen's Compensation on House Bill No. 176.

Armstrong moved the previous question. Adopted.

Question on motion by Culbertson. Motion lost.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Jarussi of Carbon to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 296 do pass.

That House Bill No. 192 do pass.

That House Bill No. 332 be amended in Section One by adding in Line 27 (of the printed bill), the words: "Hide of" after the word "the", and before the word "head," and as so amended, recommend that House Bill No. 332 do pass.

That Substitute House Bill No. 111 do pass.

That House Bill No. 334 do pass.

That House Bill No. 239 do pass.

That House Bill No. 333 do pass.

That House Bill No. 248 do pass.

That House Bill No. 210 do pass.

That House Bill No. 211 do pass.

That House Bill No. 324 do pass.

That Substitute House Bill No. 141 do pass.

JARUSSI, Chairman.

Report adopted.

House please take notice that the Speaker is about to sign House Bill No. 21.

Mr. Speaker: We, your Committee on Enrollment beg leave to report the following bill correctly enrolled: House Bill Nos. 21, 30, 40, 78, 150 and 159.

WIEDMAN, Chairman.

I have examined House Bill No. 21 introduced by me and find the same to be correct.

DUPPLER.

House please take notice that the Speaker is about to sign House Bill No. 30.

I have examined House Bill No. 30 introduced by me and find the same to be correct.

HARLOW, Chairman,  
Committee on Education.

House please take notice that the Speaker is about to sign House Bill No. 40.

I have examined House Bill No. 40 introduced by me and find the same to be correct.

BURNS, Chairman,  
Committee on Military Affairs.

House please take notice that the Speaker is about to sign House Bill No. 78.

I have examined House Bill No. 78 introduced by me and find the same to be correct.

BURNS, Chairman,  
Committee on Military Affairs.

House please take notice that the Speaker is about to sign House Bill No. 150.

I have examined House Bill No. 150 introduced by me and find the same to be correct.

GUNDERSON, Chairman,  
Committee on Agriculture.

House please take notice that the Speaker is about to sign House Bill No. 159.

I have examined House Bill No. 159 introduced by me and find the same to be correct.

TRIPP.



Moved by Loble that the House recess until 1:30 P. M. this day.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 255, 189, 34, House Joint Resolution No. 3, House Bill No. 271, 190, Substitute 163, House Bill Nos. 245, 257 and 288 and 172.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58.

Be amended as follows: Strike the period at the end of Section 2 and insert in lieu thereof a “;”, and add the following words: “nor shall the provisions of this act be construed to apply to the clearing or maintaining of any right of way over which telephone, telegraph or electric power lines are maintained.” And as amended recommend that Senate Bill 58 be concurred in.

KOCH, Chairman,  
Horticulture Committee.

Report adopted.

Mr. Speaker: We your Committee on Printing, do hereby report that House Bill Nos. 299, 301, 320, House Joint Memorial No. 9, Substitute House Bill No. 167, have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 3, respectfully report as follows: That Senate Joint Memorial No. 3 be concurred in.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 2, respectfully report as follows: That Senate Joint Memorial No. 2 be concurred in.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Memorial No. 4, respectfully report as follows: That House Memorial No. 4 do pass.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be not concurred in.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do not pass.

HESS, Chairman.

Report adopted.

Substitute motion by Oliver that House Bill No. 382 be printed and placed on General Orders. Carried.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do not pass.

HESS, Chairman.

Report adopted.

Moved by Koch that the House reconsider its action of yesterday in adopting adverse Judiciary Committee report on House Bill No. 310. Carried.

Moved by Koch that House Bill No. 310 be re-referred to the Committee on Judiciary. Carried.

Moved by Tripp that the House reconsider its action in adopting an adverse committee report on House Bill No. 385. Motion lost.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Amendments to House Bill No. 51 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 82.

Noes: None.

Absent and not voting: Aronow, Duncan, Hall, MacDonald, Mernin, Nixon, Taylor and Westlake. Total, 8.

Senate Amendments to House Bill No. 103 were concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad,

Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 82.

Noes: None.

Absent and not voting: Aronow, Brenner, Duncan, Ganson, Krieg, MacDonald, Nixon and Taylor. Total, 8.

House Bill No. 138 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Armstrong, Ballard, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Gunderson, Hall, Hawks, Haytin, Howard, Hunter, Jarussi, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Nixon, Oliver, Page (Granite), Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Trout, Van Dyke, Williams, and Wilson, (Treasure).

Ayes: Total, 51.

Noes: Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Burns, Cotton, Dokken, Dusak, Goodgame, Harken, Harlow, Harpster, Holding, Hess, Hoiness, Holtz, Jensen, Karlberg, Koch, Krieg, MacDonald, McKenna, Michels, Mulroney, O'Neil, Page (Missoula), Peters, Peterson, Taber, Tripp, Westlake, Wiedman, Wilson (Judith Basin), Working and Mr. Speaker. Total, 36.

Absent and not voting: Aronow, Frerich and Taylor. Total, 3.

House Bill No. 288 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 82.

Noes: None.

Absent and not voting: Aronow, Blenkner, Frerich, Karlberg, Laas, Nixon, Taylor and Wiedman. Total, 8.

House Bill No. 257 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp,

Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 79.

Noes: Van Dyke. Total, 1.

Absent and not voting: Aronow, Barnard, Blenkner, Cunningham, Laas, Mernin, Nixon, Rostad, Taylor and Wiedman. Total, 11.

### HOUSE BILL NO. 34 INTRODUCED BY COMMITTEE ON EDUCATION

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an Amendment to Section 6 of Article XI of the Constitution of the State of Montana relating to the maintenance of a public, free common school in each organized district of the state."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 6 of Article XI of the Constitution of the State of Montana be amended as hereinafter provided; that the question of such Amendment be submitted to the qualified electors of the State of Montana at the General Election to be held in November, 1950.

Section 2. That Section 6 of Article XI of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Section 6. It shall be the duty of the Legislative Assembly to provide by taxation, or otherwise, sufficient means, in connection with the amount received from the General School Fund, to maintain a public, free common school in each organized district in the state, for at least one hundred fifty days (150) in each year.

Provided, that not less than fifty per cent (50%) of the total cost of the foundation education program for the public elementary and secondary schools within the State of Montana, including the cost of transportation reimbursable by the state and county, be provided from the State General Fund or other earmarked state sources of taxation."

Section 3. This Amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Volume 1, Chapter 67, Revised Codes of Montana, 1935, as amended by Chapters 81 and 170, Session Laws of Montana, 1939, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐ For the amendment.

☐ Against the amendment.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The votes cast for and against the Amendment herein proposed shall be counted, canvassed and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such Amendment shall be in favor of such Amendment, the Governor of the state shall so declare by public proclamation, and the Amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

House Bill No. 34 being a Constitutional Amendment and a  $\frac{2}{3}$  vote necessary was killed by the following vote: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Cot-



ton, Culbertson, Cunningham, Dokken, Dusak, Emmons, Ewing, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McKenna, Mernin, Michels, Mulroney, Nixon, O'Neil, Peterson, Robertson, Smith, Standish, Taber, Tripp, Trout, Westlake, Wiedman, Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 51.

Noes: Anderson (Phillips), Armstrong, Ballard, Brenner, Bricker, Clark (Silver Bow), Corcoran, Domke, Duncan, Duppler, Dwyer, Esp, Foley, Frerich, Gebhardt, Hall, Hawks, Hoiness, Howard, Hunter, Krieg, Loughran, McElwain, Martin, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Taylor, Tierney, Van Dyke, Williams and Wilson (Treasure). Total, 39.

Absent and not voting: None.

Moved by Harken for a Call of the House, 15 seconded the motion. Carried.

A roll call taken showed the following absent: Aronow, MacDonald, Taylor and Laas.

Upon being brought in by the Sergeant-at-Arms and explaining their absences, they were excused.

Moved by Harlow that progress having been made that the Call of the House be dispensed with.

House Bill No. 163 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure) and Mr. Speaker.

Ayes: Total, 73.

Noes: Goodgame, Mernin, Rostad, Tripp and Wilson (Judith Basin). Total, 5.

Absent and not voting: Brenner, Duncan, Harpster, Holding, Krieg, MacDonald, Martin, Oliver, Phillips, Taylor, Wiedman and Working. Total, 12.

House Bill No. 190 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker:



Ayes: Total, 73.

Noes: None.

Absent and not voting: Armstrong, Brenner, Cotton, Domke, Duncan, Dwyer, Krieg, Laas, MacDonald, Martin, Oliver, O'Neil, Phillips, Taylor, Tierney, Westlake and Working. Total, 17.

House Bill No. 271 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Beck, Blenkner, Bricker, Burns, Clark (Silver Bow), Corcoran, Dokken, Duppler, Esp, Frerich, Gebhardt, Goodgame, Harpster, Hawks, Hess, Hoiness, Howard, Jensen, Loble, Loughran, McElwain, McKenna, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 46.

Noes: Anderson (Hill), Aronow, Barnard, Clark (Musselshell), Culbertson, Cunningham, Domke, Dusak, Emmons, Ewing, Foley, Ganson, Gunderson, Hall, Harken, Harlow, Haytin, Holding, Holtz, Hunter, Jarussi, Karlberg, Koch, Laas, McCarthy, Mernin, Smith, Tripp, Trout. Total, 29.

Absent and not voting: Brenner, Cotton, Duncan, Dwyer, Krieg, MacDonald, Martin, Oliver, O'Neil, Peterson, Phillips, Taylor, Tierney, Westlake and Working. Total, 15.

House Bill No. 255 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Phillips, Robertson, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Brenner and Mr. Speaker.

Ayes: Total, 74.

Noes: None.

Absent and not voting: Barnard, Bricker, Duncan, Dwyer, Krieg, MacDonald, Oliver, O'Neil, Peterson, Pierce, Rostad, Taber, Taylor, Tierney, Westlake and Working. Total, 16.

House Bill No. 189 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Culbertson, Cunningham, Duppler, Dusak, Esp, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Peters, Pierce, Robertson, Rostad, Scofield, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 53.

Noes: Ballard, Clark (Silver Bow), Corcoran, Emmons, Ewing, Foley, Gunderson, Hall, Howard, Loughran, Mernin, Page (Granite), Phillips, Sales, Skibby, Smith, Standish, Tierney, Tripp, and Wiedman. Total, 20.

Absent and not voting: Brenner, Bricker, Cotton, Dokken, Domke, Duncan, Dwyer, Krieg, MacDonald, Oliver, O'Neil, Page (Missoula), Peterson, Taber, Taylor, Westlake and Working. Total, 17.

House Joint Resolution No. 3 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Mulrone, Nixon, Page (Granite), Peters, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 68.

Noes: None.

Absent and not voting: Barnard, Beck, Brenner, Cotton, Duncan, Dwyer, Howard, Krieg, MacDonald, Martin, Michels, Oliver, O'Neil, Page (Missoula), Peterson, Pierce, Standish, Taber, Taylor, Tierney, Westlake and Working. Total, 22.

House Bill No. 245 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulrone, Nixon, Page (Granite), Peterson, Phillips, Robertson, Rostad, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 68.

Noes: Mernin. Total, 1.

Absent and not voting: Anderson (Hill), Brenner, Cotton, Duncan, Dwyer, Gunderson, Harlow, Koch, Krieg, MacDonald, Oliver, O'Neil, Page (Missoula), Peters, Pierce, Sales, Standish, Taber, Taylor, Westlake and Working. Total, 21.

House Bill No. 172 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Page (Granite), Peterson, Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker.

Ayes: Total, 72.

Noes: None.

Absent and not voting: Anderson (Hill), Brenner, Cotton, Duncan,

Dwyer, Gunderson, Harlow, Krieg, MacDonald, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Taber, Taylor, Westlake and Working. Total, 18.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows: by striking out in the title of the original Bill, in line 6 and 7 the following words: "Providing for supervision by the superintendent of banks of the State of Montana;" and inserting in lieu thereof the words, "providing for supervision by the State Auditor of the State of Montana;"

and be amended further: by striking out in line 8 in the title of the original Bill the words: "State Superintendent of Banks;" and inserting in lieu thereof the words, "State Auditor"

And be amended further: by striking out in line 19, Section 2 of the original Bill the words and figures: "and less than one per cent (1%) per month,"

and be amended further: by striking out in Section 2, line 20, of the original Bill the words: "State Superintendent of Banks;" and inserting in lieu thereof the words, "State Auditor".

and be amended further: by striking out in Section 2, line 24, of the original Bill the words: and figures: "two per cent (2%) per month." and inserting in lieu thereof the words and figures: "three per cent (3%) per month on the unpaid principal balance."

and be amended further: by striking out in Section 4, line 31 of the original Bill the words: "Superintendent of Banks" and inserting in lieu thereof the words, "State Auditor."

be amended as follows: by striking out in Section 4, line 2, page 2 of the original Bill the following: "Superintendent of Banks," and inserting in lieu thereof the words, "State Auditor."

and be further amended: by striking out in Section 5, line 4 of the original Bill the following words: "Superintendent of Banks," and inserting in lieu thereof the words, "State Auditor."

and be further amended; by striking out in Section 6, lines 7 and 8 of the original Bill the following words: "Superintendent of Banks," and inserting in lieu thereof the words: "State Auditor."

and be further amended: by striking out in Section 8, line 20 of the original Bill the following words and figures: "two per cent (2%) per month." and inserting in lieu thereof the words and figures, "three per cent (3%) per month on the unpaid principal balance."

and as so amended recommend that House Bill No. 56 do pass.

HALL, Chairman,

Banks and Banking Committee.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 197

recommend that House Bill No. 197 be amended as follows:

Amend Section 1 of the printed bill by deleting the words, "after advertisement" in line 3 and striking out the comma after the word "bidder" in the same line, and inserting after the word "bidder", the words "in the manner now provided by law for the sale of state lands,"

Amend Section 2 of the printed bill by deleting the word "the" before the word "costs" in line 2, and inserting in lieu thereof the word "all" and striking out the words, "said advertising and" in said line 2.

Respectfully report as follows: That House Bill No. 197 as amended do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 434, recommend that House Bill No. 434 be amended as follows:

Amend the title by deleting the words and figures "Five Thousand Dollars (\$5,000.00)" in lines 6 and 7 of the original bill, and inserting in lieu thereof the words and figures, "Four Thousand Five Hundred Dollars (\$4,500.00)."

Amend Section 1 by inserting after the word "Commissioner" in line 25 of the original bill, the words and figures shall be Five Thousand Dollars (\$5,000.00) per annum payable monthly," and deleting the words and figures "Five Thousand Dollars (\$5,000.00) in line 26 of the original bill, and inserting in lieu thereof the words and figures, "Four Thousand Five Hundred Dollars (\$4,500.00)";

Respectfully report as follows: That House Bill No. 434 as amended do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

HALL, Chairman,  
Banks and Banking Committee.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do not pass.

HALL, Chairman,  
Banks and Banking Committee.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do pass.

BECK, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Moved by Loble that the Messages from the Senate be considered read at length and the Journal so show.

## MOTIONS AND RESOLUTIONS

Moved by Holding that any action on House Bill No. 382 be indefinitely postponed.

A point of order was raised by Page (Granite) that the motion of Holding was out of order. Sustained by the Speaker.

Moved by Ganson that we reconsider our action taken today in ordering House Bill No. 382 to be printed and referred to General Orders.

Moved by Holding as a substitute motion that indefinite postponement of House Bill No. 382 be made. Motion carried.

Moved by Trout that reconsideration of action of the House on House Bill No. 356 be taken and that it be re-referred to the Committee on Judiciary. Trout withdrew motion.

Moved by Loble that the House adjourn until 10:00 A.M., February 11, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTIETH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 11, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Cunningham and McKenna.

Mr. Speaker: We, your Committee on Journal beg to report that we have examined the Journal for the 39th Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bills Nos. 21, 30, 40, 78, 150, 159 and House Joint Resolution No. 1, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:45 o'clock, P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 106, 303, 386, 394, 308 and House Joint Memorial No. 8 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 305, 211, 239, 192 and 296.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: House Bill No. 333.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under



consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do not pass.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 do not pass.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do not pass.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do pass.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 be amended as follows:

On page 2, lines 15 and 16, of the original bill by striking the words "receiving electric energy and service from the co-operative" and as amended recommend that the bill do pass.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass, but that Substitute House Bill No. 66: A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases and extension thereof, and agreements for the pooling of acreage with others for unit operation for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, relating to amendment of existing state oil and gas leases." be recommended do pass.

ARONOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 be amended as follows:

Amend the title by inserting after the word "commission" in line 11, the following: "Providing for reciprocity as provided in Section 1760.7 of Revised Codes of Montana 1935 as amended by Chapter 93 Laws of the Twenty-sixth Legislative Assembly of Montana 1939 and Chapter 296 of the Thirtieth Legislative Assembly of Montana 1947; providing for exceptions for motor vehicles operating for hire exclusively within limits of incorporated city or towns or within two miles of such limits".

By renumbering: Section 11 as Section 13

Section 12 as Section 14

Inserting two new sections to be numbered Sections 11 and 12 to read as follows:

Section 11: "Reciprocity shall be granted, notwithstanding anything to the contrary herein, in accordance with Section 1760.7 as amended by Chapter 93 of the Laws of the Twenty-Sixth Legislative Assembly of Montana of 1939 and as amended by Chapter 296 of the Laws of the Thirtieth Legislative Assembly of Montana of 1947."

Section 12: "Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within two miles from such limits shall be exempt from the provisions of this act."

And, as amended, recommend that bill do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do not pass.

ROBERTSON, Chairman.

Substitute motion by Mernin that House Bill No. 344 be printed and placed on General Orders. Motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

ROBERTSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do not pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 do not pass.

HARLOW, Chairman.

Substitute motion by Tripp that House Bill No. 433 be re-referred to the Committee on Judiciary. Motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do not pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do pass.

HARLOW, Chairman.

Report adopted.

#### MOTIONS AND RESOLUTIONS

Moved by Nixon that House Bill No. 390, on favorable report by the Committee on Highways and Highway Transportation, be taken from Printing and be re-referred to the Committee on Appropriations. Carried.

Moved by McElwain that this House reconsider its action in adopting an adverse committee report by the Committee on Federal Relations on Senate Joint Resolution No. 2. Motion lost.

Moved by Clark (Silver Bow), that House Bill No. 296 be taken from Third Reading and be re-referred to the Committee on Livestock and Public Ranges. Carried.

#### CONSIDERATION OF GENERAL ORDERS

It was moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Krieg of Yellowstone to take the Chair. Committee arose.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 259 do pass.

House Bill No. 260 do pass.

House Bill No. 261 do pass.

House Bill No. 270 do pass.

House Bill No. 274 do pass.

House Bill No. 300 do pass.

House Bill No. 299 do pass.

House Bill No. 301 do pass.

House Bill No. 320 do pass.

House Joint Memorial No. 9 do pass.

Substitute House Bill No. 167 be passed for the day.

House Bill No. 197 do pass.

KRIEG, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Dwyer that Substitute House Bill No. 167 be taken from General Orders and be re-referred to the Committee on Affairs of Cities. Carried.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 305 passed the House by the following vote, and was transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Krieg, Laas, Noble, Loughran, MacDonald, McCarthy, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Scofield, Smith, Standish, Tierney, Tripp, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total, 71.

Noes: Armstrong, Corcoran, Culbertson, Hunter, Jensen, McElwain, Martin, Phillips, Rostad, Sales, Taber, Taylor, and Trout. Total, 13.

Absent and not voting: Brenner, Bricker, Hall, McKenna, Skibby and Wilson (Judith Basin). Total, 6.

House Bill No. 211 passed the House by the following vote, and was transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 82.

Noes: None.

Absent and not voting: Anderson (Hill), Blenkner, Brenner, Hess, Martin, Mernin, O'Neil and Pierce. Total, 8.

House Bill No. 239 passed the House by the following vote and was transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 80.

Noes: Working. Total, 1.

Absent and not voting: Brenner, Harlow, Haytin, McKenna, Martin, Mernin, O'Neil, Tierney and Williams. Total, 9.

House Bill No. 192 passed the House by the following vote and was transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Phillips, Pierce, Robertson, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 73.

Noes: Ballard, Clark (Silver Bow), Emmons, Foley, Hall, Loughran, Mernin, Page (Granite), Peterson, Rostad, Sales, Smith, Tierney, Wiedman and Corcoran. Total, 15.

Absent and not voting: Brenner, Duncan. Total, 2.

House Bill No. 33 passed the House by the following vote and was transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 86.

Noes: None.

Absent and not voting: Brenner, Duncan, Mernin and Taylor. Total, 4.

Mr. Speaker: We, your Committee on Printing, do hereby report that



House Bill Nos. 438, 432, 414, 392, 387, 372, 340, 330, 329, 328, 316, 314, 311, 291, 251, 240, 224, 108 and 90 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 106 has been incorrectly printed and must be re-referred to the printing committee.

O'NEIL, Chairman.

Moved by Loble that the House recess until 2:30 P. M. this day.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 141, 334 and Substitute House Bill No. 111.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 260, 261, 299, 300, 301 and 259.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 332 and 210.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Employment, do hereby recommend that the employment of the following-named persons be terminated:

#### SECRETARY TO SPEAKER

Dorothy M. Schwendler

and respectfully recommend that the status of the following employee be changed as of this date:

Bernice M. Peacock from Stenographer to Secretary to Speaker.

HESS, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 be amended as follows: Page 3, Section 6, lines 5 and 6 be stricken. Page 1, line 20 through 25 inclusive be deleted. And as amended do pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 be amended as follows:

In the title on line 17 after the word "licensed" strike out the word "undertakers" and insert in lieu thereof the word "embalmers"

Page 3, line 18: Strike out the words "undertaker or mortician"

Page 2, insert before Section 2 the following: "In all other cases where the decedent died in the State of Montana and while a resident of the State of Montana at the time of death, leaving no surviving husband, wife or next of kin charged by law with the duty of burial, the attending physician at the time of decedent's death first obtains an order of the district court in

and for the county in which such death occurred, authorizing dissection, autopsy or other post mortem examination for the purpose of ascertaining the cause of death, and then only to the extent so authorized by the order of the district court after it has been shown to the satisfaction of the court that the applicant for the order has made due and diligent search for the next of kind charged by law with the duty of burial, and after such due and diligent search was unable to find said next of kin."

Page 3, line 1: Strike out the words "undertakers or morticians".

And, as amended, recommend that bill do pass.

HOLTZ, Vice Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 383, do recommend that the same be amended as follows:

Amend Section 14 by striking out after the word "paid" in lines 18, 19 and 20, page 7 of the original bill the following words: "in the amounts and in the manner provided by the laws of the State of Montana in transporting prisoners to the State Penitentiary at Deer Lodge", and inserting

in lieu thereof the words "by the County from which the patient is committed.";

And as amended, House Bill No. 383 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 be amended as follows:

Amend Section 10 thereof by striking the word "Treasurer" in said Section 10, appearing in line 23 of Page 2 of the original bill and substituting in lieu thereof the word "Treasury"; and that said Section 10 be further amended by striking all of said Section 10 after the word "Dollars" in line 24 of Page 2 of the original bill and placing a period after said word "Dollars."

And as so amended, House Bill No. 435 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 be amended as follows:

Amend the title thereof by striking the figures "\$2,500.00" appearing in line 16 of page 1 of the original bill, and inserting in lieu thereof the figures "\$1,000.00"; and that said House Bill No. 243 be further amended by amending Section 2 thereof by striking the figures "\$2,500.00" from line 16 on page 3 of the original Bill, and inserting in lieu thereof the figures "\$1,000.00".

And as so amended, House Bill No. 243 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 be amended as follows:

Amend Section 1 thereof by striking from lines 21 and 22 of page 1 of the original bill the words and figures "Two Thousand Five Hundred Sixty-four Dollars and Fourteen Cents (\$2,564.14)" and inserting in lieu thereof the words and figures "Two Thousand Dollars (\$2,000.00)"; and that said Section 1 be further amended by striking from lines 29, 29½ and 30 of page 1 of the original bill the words and figures "Two Thousand, Five Hundred Sixty-four and 14/100 Dollars (\$2,564.14)", and inserting in lieu thereof the words and figures "Two Thousand Dollars (\$2,000.00)."

And as so amended, House Bill No. 374 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill 161 do not pass, and recommend that Substitute House Bill 161, a bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; defining "uniform system of free public schools"; "average number belonging"; and "minimum foundation program"; providing a schedule for determining support of foundation financial program for public elementary schools; providing a schedule for determining the amount which will be guaranteed by the state for public secondary schools in support of the foundation financial program; providing for a reserve tax levy for building and construction purposes; providing for abolishment of State Public School General Fund; providing for a change of name for the State Common School Equalization Fund; providing for the State Board of Education to administer the State Public School Equalization Fund; providing for the State Superintendent of Public Instruction to compile data and make reports concerning State Public School Equalization Fund; providing for the distribution of funds and reports required for same; providing for the distribution of money available to districts and the formula for the apportionment of county funds; providing formula for distribution of state funds; providing for payment by state for transportation service rendered; providing for State Superintendent to give notice if state fund is inadequate; providing for resolution to issue warrants in anticipation of state aid and providing for hearing of same; providing for authorization to issue "warrants"; providing for reimbursements from State Public School Equalization Fund; providing for trustees to authorize additional levy without election; providing for district school excess levies and providing for elections to cover same; providing for county public school levy; providing for cost of program; providing for duties of State and County Superintendent; providing for transfer of building and furnishing funds to reserve funds for building and construction purposes; amending Section 1263.5, Revised Codes of Montana, 1935, as amended by Chapter 166, Laws of 1939, Chapter 64, Laws of 1941, and Chapter 280, Laws of 1947; amending Section 964, Revised Codes of Montana, 1935; amending Section 1057 of the Revised Codes of Montana, 1935; repealing sections of the Revised Codes of Montana, 1935, as follows: 1019.7; 1039; 1200.1; 1200.2; 1200.3; 1200.5; 1200.6; 1200.8; 1200.9; 1201.2; 1201.3, as amended by Chapter 132, Laws of 1941, Chapter 108, Laws of

1943, Chapter 129, Laws of 1945, and Chapter 281, Laws of 1947; 1201.4; 1202, as amended by Chapter 273, Laws of 1947; 1203, as amended by Chapter 51, Laws of 1945; 1204, as amended by Chapter 272, Laws of 1947; 1207; 1208; 1209; 1210; 1211; 1212; 1219; 1263.8, as amended by Chapter 217, Laws of 1939; 1263.11, as amended by Chapter 131, Laws of 1941; and 1253.30; and repealing all acts and parts of acts in conflict with this act; and providing for the effective date of this act." Do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 be re-referred to Judiciary Committee.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do not pass.

BURNS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 be amended as follows:

In the Title: On Page 1, Line 5 of the original bill, delete the word "re-organization" and insert in lieu thereof the word "organization"; in line 32 following the figures "1020" insert a ",".

Page 2: In lines 1 and 2 delete the words "and all other acts or parts of acts in conflict with this act,";

On pages 1 and 2 delete the words and figures "and 1021 as amended by Section 1 of Chapter 61, Laws of 1943;" and insert following the word and figure "Section 1020;" the following: "repealing sections of the Revised Codes of Montana, 1935, as follows: Sections 1022, 1023; 1024 as last amended by Section 1 of Chapter 61, Laws of 1943; 1026; 1028; 1029; 1029.1; 1030; 1031; 1034 as amended by Section 1 of Chapter 201, Laws of 1943; 1035; 1036; 1036.1; 1036.2; 1037.1; 1037.3; 1037.4; 1037.5; 1039; 1039.7; 1039.8; 1262.3; 1262.5; 1262.6; 1262.7; 1262.8; 1262.9; 1262.58; 1262.59; 1262.60; 1262.61; 1262.79; 1262.80; and 1262.81 as last amended by Chapter 219, Laws of 1943;"

On Page 12, Line 20, delete in its entirety sub-section (b), in Section 10.



In Section 14, Page 17, Line 32 delete the word "superintendent" and insert in lieu thereof the word "commission". On page 18 delete lines 1, 2, 3, and in line 4 through the word "same."; and following the inserted word "commission" insert the following words "which shall determine when the proposed new district meets the minimum requirements as set up in Section 10 of this act.", and in lines 4 and 5 delete the words "state superintendent of public instruction" and insert in lieu thereof the words "county Commission".

On page 29 of the original bill, renumber Section 31, calling it Section 30, and delete line 18 and line 19; and in line 24, insert the figure "10" in the blank following the word "Section".

Renumber Section 30, and call it Section 31, and underline all words in that section following the word "County," on line 13.

Delete Section 32, and insert in lieu thereof the following:

"Section 32. That the following sections of the Revised Codes of 1935, and of the Session Laws, be, and the same is hereby repealed, such repeals and each thereof to be in full force from and after the passage and approval of this act, to wit: Sections 1022; 1023; 1024; as last amended by Section 1 of Chapter 61, Laws of 1943; 1026; 1028; 1029; 1029.1; 1030; 1031; 1034 as amended by Section 1 of Chapter 201, Laws of 1943; 1035; 1036; 1036.1; 1036.2; 1037.1; 1037.3; 1037.4; 1037.5; 1039; 1039.7; 1039.8; 1262.3; 1262.5; 1262.6; 1262.7; 1262.8; 1262.9; 1262.58; 1262.59; 1262.60; 1262.61; 1262.79; 1262.80; 1262.81 as last amended by Section 1 of Chapter 219, Laws of 1943."

And as amended do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be concurred in.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 be amended as follows:

In Section 1, Page 1, Line 16, by striking out the word "five" and inserting in lieu thereof, the word "ten".

And as amended do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do pass.

TIERNEY, Chairman.

Report adopted.

## COMMUNICATIONS FROM THE GOVERNOR

February 11, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following measures:

House Bill No. 40.

House Bill No. 159.

House Bill No. 78.

House Bill No. 30.

House Bill No. 21.

House Bill No. 118.

House Bill No. 120.

House Bill No. 150.

JOHN W. BONNER,  
Governor.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 183, 216, 220, 223, 309, 326, 341, 404 and 410, have been returned correctly printed.

O'NEIL, Chairman.

## MOTIONS AND RESOLUTIONS

Moved by Laas that the action in adopting the committee report on House Bill 56 be reconsidered. Motion lost.

## THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 332 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 77.

Noes: None.

Absent and not voting: Aronow, Blenkner, Dwyer, Ganson, Harken, Harlow, Koch, Krieg, McElwain, Mernin, Mulroney, Nixon and Wiedman. Total, 13.

House Bill No. 210 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Frerich, Ganson, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Michels, Oliver, O'Neil, Page (Granite), Page (Musselshell), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 71.

Noes: None.

Absent and not voting: Aronow, Barnard, Blenkner, Dwyer, Gebhardt, Harken, Harlow, Hoiness, Koch, Krieg, McElwain, Martin, Mernin, Mulroney, Nixon, Pierce, Tripp, Wiedman and Foley. Total, 19.

Substitute House Bill No. 141 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Hill), Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Scofield, Smith, Taber, Taylor, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 68.

Noes: Anderson (Phillips), Armstrong, Howard, Phillips, Rostad, Sales, Skibby, Standish and Van Dyke. Total, 9.

Absent and not voting: Andersen (Richland), Aronow, Barnard, Blenkner, Domke, Duncan, Harken, Harlow, Krieg, Martin, Nixon, Tierney and Wiedman. Total, 13.

Substitute House Bill No. 111 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Ballard, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total, 67.

Noes: Brenner, Corcoran, Esp, Frerich, Scofield, Taylor and Working. Total, 7.

Absent and not voting: Armstrong, Aronow, Barnard, Beck, Blenkner, Cotton, Dwyer, Gunderson, Harken, Hoiness, Koch, Krieg, McElwain, Mernin, Mulroney and Wiedman. Total, 16.

House Bill No. 334 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 75.

Noes: None.

Absent and not voting: Andersen (Richland), Aronow, Barnard, Blenkner, Gunderson, Harken, Harlow, Hoiness, Karlberg, Koch, McElwain, Martin, Mernin, Mulroney, and Wiedman. Total, 15.

House Bill No. 260 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, McCarthy, McKenna, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 75.

Noes: None.

Absent and not voting: Aronow, Barnard, Blenkner, Dwyer, Harken, Holding, Hoiness, Koch, Loughran, MacDonald, McElwain, Martin, Mulroney, Phillips and Wiedman. Total, 15.

House Bill No. 261 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Krieg, Loble, Loughran, McCarthy, McKenna, Michels, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 67.

Noes: None.

Absent and not voting: Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Dokken, Harken, Holding, Hoiness, Hunter, Koch, Laas, MacDonald, McElwain, Martin, Mernin, Mulroney, Oliver, Phillips, Pierce, Scofield, Taber and Wiedman. Total, 23.

House Bill No. 299 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 69.

Noes: None.

Absent and not voting: Aronow, Barnard, Blenkner, Domke, Duncan, Duppler, Harken, Harlow, Hoiness, Koch, Krieg, MacDonald, McElwain, Martin, Mernin, Mulroney, Phillips, Standish, Taber, Wiedman, Williams. Total, 21.

House Bill No. 300 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Emmons, Esp, Foley, Ganson, Gebhardt, Goodgame, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 66.

Noes: None.

Absent and not voting: Barnard, Beck, Blenkner, Cotton, Duppler, Dwyer, Ewing, Frerich, Gunderson, Hall, Harken, Harlow, Hoiness, Koch, Krieg, MacDonald, McElwain, Martin, Mernin, Mulroney, Phillips, Robertson, Wiedman and Williams. Total, 24.

House Bill No. 301 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Foley, Ganson, Gebhardt, Goodgame, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, McKenna, Michels, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total, 68.

Noes: None.



Absent and not voting: Aronow, Barnard, Blenkner, Cotton, Dwyer, Ewing, Frerich, Gunderson, Hall, Harken, Harlow, Hoiness, Hunter, Koch, Krieg, MacDonald, McElwain, Martin, Mernin, Mulroney, O'Neil and Wiedman. Total, 22.

House Bill No. 259 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Ballard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harlow, Harpster, Hawks, Haytin, Helding, Hess, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total, 71.

Noes: None.

Absent and not voting: Aronow, Barnard, Blenkner, Cotton, Dwyer, Ewing, Frerich, Hall, Harken, Hoiness, Holtz, Koch, MacDonald, McElwain, Mulroney, O'Neil, Wiedman, Williams, Wilson (Judith Basin). Total, 19.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your majority of the Committee on Revenue and Taxation, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do not pass.

HAYTIN,  
SCOFIELD,  
ESP,  
CORCORAN,  
ARMSTRONG,  
BALLARD,  
STANDISH,  
DOMKE,  
HOINESS.

Mr. Speaker: We, the minority of your Committee on Revenue and Taxation, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do pass.

McKENNA,  
BECK,  
HARLOW,  
BARNARD,  
CULBERTSON,  
MICHELS,  
EMMONS.

Substitute motion by Harlow that the report of the minority be adopted.

Moved by Burns for a request for a roll call vote and a Journal entry demanded by the required number.

Moved by Burns for a call of the House; there being fifteen seconds, the following call of the House was made with the following-named absent:

Moved by Burns that progress having been made, further call of the House dispensed with.

Ayes: Anderson (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Duncan, Duppler, Dusak, Emmons, Frerich, Goodgame, Gunderson, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McKenna, Mernin, Michels, Nixon, O'Neil, Peterson, Robertson, Smith, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Working and Mr. Speaker. Total, 49.

Noes: Armstrong, Ballard, Blenkner, Brenner, Bricker, Clark (Silver Bow), Dokken, Domke, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Hall, Harken, Haytin, Hoiness, Howard, Hunter, Krieg, Loughran, McElwain, Martin, Mulrone, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Wiedman and Wilson (Treasure). Total, 39.

Absent and not voting: Barnard and Corcoran. Total, 2.

Substitute motion carried. Minority report adopted.

Moved by Loble that the House adjourn until 10:00 A. M., February 12, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

#### FORTY-FIRST LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 12, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present, Barnard excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fortieth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 320, 270, 324, 274, 197, 248 and House Joint Memorial No. 9.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 be re-referred to the Judiciary Committee.

Committee on Conservation and  
Flood Control.

MICHELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 be amended as follows:

Amend the title in line 12 of the original typewritten bill by striking the period and the quotes and inserting a "comma" and the words

"and repealing Chapter 277 of the Montana Session Laws of 1947."

and amend further by adding a new section numbered "Section 2" to read:

"Chapter 277 of the Montana Session Laws of 1947 be and the same is hereby repealed".

and amend further by re-numbering Section 2 to be "Section 3", in lines 32 and 33 of the original bill, and as amended recommend that the bill do pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do not pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do not pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 be amended as follows:

In line 12 of the original typewritten bill strike the words "as amended" and the comma, amend further by striking all of Section 3., and as amended recommend that the bill do pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do not pass.

Committee on Judiciary.  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had

under consideration House Bill No. 312, respectfully report as follows:  
That House Bill No. 312 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 325, respectfully report as follows:  
That House Bill No. 325 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 167, respectfully report as follows:  
That House Bill No. 167 be amended in the introduction as follows: By striking out after the words "Introduced by" the following names, "Foley, Tierney, Dwyer, Loughran, Ballard, Clark of Silver Bow, Mernin and McCarthy" and inserting in lieu thereof the words "Committee on Affairs of Cities."

And as amended, the bill do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 225, respectfully report as follows:  
That House Bill No. 225 be amended as follows:

In Section 26,

On page 47, line 21 of the original bill, after the word "current," strike out the words:

"or power connections shall be made in intake air."

In Section 18, of the original bill be amended on page 23, by adding, after the words "authorized persons," in line 32, a new sentence, as follows:

"The state coal mine inspector may require only one permissible flame safety lamp in proper working condition need be kept available at each mine where five men or less are employed on any one shift."

And further, also in Section 18 that a new paragraph be added between the lines 23 and 24 on page 20 of the original bill, as follows:

"When the working faces are within 500 feet of the portal, the state inspector may waive the requirement of 6000 cubic feet of air a minute reaching the last open crosscut in any pair or set of entries or on the intake side of a pillar section, provided the volume and velocity of the air at the working faces required under this section are met."

And further, in Section 18, on page 18, between the lines 2 and 3, a new paragraph be added, as follows:

"In non-gassy mines where face workings are 500 feet or less from the portal, provision requiring a main ventilating fan may be waived by the state inspector."

Also that in Section 21, page 30 of the original bill, between lines 22 and 23, there be added a new paragraph, as follows:

"Provisions of these sections requiring a state certified foreman may be waived by the state coal-mine inspector in mines where five men or less are employed on any one shift; provided, however, that the state inspector considers the person in charge of the underground work has adequate ability to supervise the safety of the workers and to carry out the duties imposed by law in the mine concerned."

Also that in Section 22, on page 31 of the original bill, between the lines 17 and 18, that a new paragraph be added, as follows:

"The state coal-mine inspector may waive a pre-shift examination of a mine in which five persons or less are employed on one shift if the inspector considers the onshift examination provisions of the Montana code adequately safeguard the worker.

And that in Section 23, page 35 of the original bill, between the lines 28 and 29, a new paragraph be added, as follows:

"The state inspector may waive the provisions requiring surface storage magazines for the storage of explosives and detonators for mines employing five persons or less, if the amount of explosives does not exceed 125 pounds, and storage is in an underground, box-type magazine."

And in Section 23 also, on page 36 of the original bill, between the lines 26 and 27, a new paragraph be added, as follows:

"The state inspector may permit the use of pellet black powder for blasting in a non-gassy mine where five men or less are employed, providing all shots are fired by a competent person when all other men are out of the mine. Furthermore, mine electric power shall not be used to set off shots unless the shots are fired from the surface with all persons out of the mine, including the person firing the shots."

And that in Section 14, of the original bill, on page 13, after line 7, a new paragraph be added, as follows:

"The state inspector shall require an extension of the last preceding survey, once every twelve months, of every mine in active operation in which five men or less are employed on any one shift."

Also that three new sections be added to the bill, as follows:

"Section 27. Safeguards for Mechanical Equipment.

"Subsection 1. Face Equipment. -a. The cutter chains of mining machines shall be locked securely to prevent accidental movement while being trammed or when parked.

b. Rock drilling with percussion drills shall be done wet, except as provided for in article XI, section 7g.

"Subsection 2. Shop and other equipment. -a. The following shall be guarded adequately:

1. Gears, sprockets, friction devices, and couplings with protruding bolts or nuts.

2. Shafting and projecting shaft ends that are within 7 feet of floor or platform level.

3. Belt, chain, or rope drives that are within 7 feet of floor or platform.

4. Fly wheels. (Where fly wheels extend more than 7 feet above the floor, they shall be guarded to a height of at least 7 feet.)

5. Circular and bandsaws and planers.

6. Repair pits. (Guards shall be kept in place when the pits are not in use.)

"b. Machinery shall not be repaired or oiled while in motion, unless such oiling can be done without danger to the oiler.

"c. A guard or safety device removed from any machine shall be replaced before the machine is put in operation.

"d. Mechanically operated grinding wheels shall be equipped with:



1. Safety washers and tool rests.
2. Substantial retaining hoods, the hood openings of which shall not expose more than 90° sector of the wheel.
3. Eye shields, unless goggles are worn by the operators.

“Section 28. Underground Fire Prevention, Fire Control, and Mine Disasters.

“Subsection 1. Fire prevention and control. —a. Each mine shall be provided with suitable fire fighting equipment, adequate for the size of the mine, such as supplies of rock dust at doors and at other strategic places, water lines and hose, water or chemical trucks, and fire extinguishers.

b. Clean dry sand, rock dust, or fire extinguishers, suitable from a toxic and shock standpoint, shall be provided and placed at each electrical station (substations, transformer stations, permanent pump stations) so as to be out of the smoke in case of a fire in the station.

c. After every blasting operation performed on shift by shot firers or other persons, an examination shall be made to determine whether fires have been started.

d. Should a fire occur, the person discovering it and any persons in the vicinity of the fire shall make a prompt effort to extinguish it.

“e. If, or when, a fire has attained such proportions that an individual cannot extinguish it, he shall report immediately the existence of the fire to a competent official of the mine, who shall order all workmen from that part of the mine affected by the fire, except those needed for fire fighting.

“f. If the fire gets out of control, men shall be withdrawn; and the part of the mine in which the fire is located or the entire mine, as conditions may require, shall be sealed or flooded.

“g. All fire-fighting operations shall be under the direct supervision of the mine manager or mine foreman or a designated assistant who shall consult with the Federal inspectors, who shall serve in an advisory capacity.

“h. Underground storage places for lubricating oil and grease in excess of 2 days' supply shall be of fireproof construction.

“i. Lubricating oil and grease kept in face regions or other working places shall be in portable closed, metal containers.

“j. Hay or straw shall be transported from the surface to underground stables in enclosed incombustible cars. It shall be stored in a fireproof structure apart from the stable or in a fireproof compartment within the stable.

“Section 29: Miscellaneous.

Subsection 1. Protective Clothing. —a. All persons shall wear protective hats while underground and also while on the surface where falling objects may cause injury.

b. Protective footwear shall be worn by employees, officials, and others while on duty in and around a mine where falling objects may cause injury.

c. All employees inside or outside of mines shall wear approved type goggles where there is a hazard from flying particles.

“d. Welders and helpers shall use proper shields or goggles to protect their eyes.

“e. Employees engaged in haulage operations and other persons em-

ployed around moving equipment on the surface and underground shall wear snug-fitting clothing.

"f. Protective gloves shall be worn when material which may injure the hands is handled, but gloves with gauntlet cuffs shall not be worn around moving equipment.

"g. Men exposed for short periods to gas, dust, fume, and mist inhalation hazards shall wear permissible respiratory equipment. When the exposure is for prolonged periods, other measures to protect workmen or to reduce the hazard shall be taken.

"Subsection 2. Definitions. -a. The words "interested persons" as used in this code shall be construed to mean: Members of the Mine Safety Committee; all other authorized representatives of the United Mine Workers of America; Federal, State and County coal-mine inspectors; and to the extent required by state law, any other persons."

Respectfully recommend as follows: That, as amended, House Bill No. 225 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do not pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 74, respectfully report as follows: That Senate Bill No. 74 be concurred in.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do not pass, but that Substitute House Bill No. 298:

A bill for an act entitled: "An act to amend Section 5386 of the Revised Codes of Montana 1935, as amended by Chapter 75 of the Laws of the 29th Legislative Assembly, 1945, relating to the place where the council shall have its office; the salaries and compensation of the mayor and councilmen for cities operating under the commission form of government, and repealing all acts and parts of acts in conflict herewith." do pass.

KARLBERG, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Joint Resolution No. 1.

JOHN W. BONNER, Governor.

February 11, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills and Senate Joint Memorials were this day read third time and the following actions taken:

Senate Bill No. 20 by Aronson, passed as amended and sent to the House for concurrence.

Senate Bill No. 46 by Hofland et al, passed as amended and sent to the House for concurrence.

Senate Joint Memorial No. 4, by Walsh et al, passed, title and history agreed to, and transmitted to the House for concurrence.

Senate Joint Memorial No. 7 by Aronson et al, passed, title and history agreed to, and transmitted to the House for concurrence.

Senate Bill No. 83 by Tibbals et al, passed, title and history agreed to, and transmitted to the House for concurrence.

Senate Bill No. 72 by Padbury and James, passed, title and history agreed to, and transmitted to the House for concurrence.

Senate Bill No. 122 by Padbury, passed, title and history agreed to, and transmitted to the House for concurrence.

### MOTIONS AND RESOLUTIONS

Moved by Hoiness that House Bill No. 270 be taken from Third Reading and be placed back on General Orders. Carried.

Moved by Bricker that House Bill No. 270 be passed for the day. Carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed O'Neil of Flathead to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 155 do pass.

That House Bill No. 303 do pass.

That House Bill No. 386 do pass.

That House Bill No. 394 do pass.

That House Joint Memorial No. 8 do pass.

That House Bill No. 438 be amended in Section 3 by striking out in line 32 of page 9 of the original typewritten bill, the word "Five," and inserting in lieu thereof the word "Two", and as so amended, recommend that House Bill No. 438 do pass.

That House Bill No. 432 be amended in Section 1 by striking out in lines 11 and 12 the words: "Only such agreements as are approved by the Board shall be enforceable contracts", and as so amended, recommend that House Bill No. 432 do pass.

That House Bill No. 414 be passed for the day.

That House Bill No. 392 do pass.

That House Bill No. 387 do pass.

That House Bill No. 372 do pass.

That House Bill No. 340 do pass.

That House Bill No. 330 do pass.

That House Bill No. 329 do pass.

That House Bill No. 328 do pass.

That House Bill No. 316 strike the enacting clause.

That House Bill No. 314 do pass.

O'NEIL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 293, 262, 407, 411, 266, 332, 373, 88 and 160 have been returned correctly printed.

O'NEIL, Chairman.

#### MOTIONS AND RESOLUTIONS

Moved by Wilson that House Bill No. 270 be taken from General Orders and be re-referred to the Committee on Townships and Counties. Carried.

Moved by Loble that the House recess until 2:00 P. M.

House resumed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do not pass.

But that Substitute House Bill No. 226,

A bill for an act entitled: "An act to establish a system of state examination for master and journeymen plumbers; fixing the fees to be charged for state licenses, and the disposition of the fund thus created, and providing penalties for the violation of the provisions of this act; repealing the following sections of the Revised Codes of Montana, 1935, to-wit: Sections 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192, and 5193, and repealing all acts or parts of acts in conflict herewith." do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 be amended as follows:

Amend Section 1 thereof by striking out in lines 20 and 21 of page 1 of the original typewritten bill, the words and figures: "Thirty-one Thousand Six Hundred Fifty Dollars . . . \$31,650.00", and inserting in lieu thereof the words and figures: "Twenty-four Thousand Eight Hundred Twenty-two Dollars and Fifty Cents. \$24,822.50" and by striking out lines 25, 26 and 27 of page 1 of the original typewritten bill,

And as so amended, House Bill 388 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 be amended as follows:

By amending the title in Line 11, after the word "state" by adding the following words: "providing for cargo insurance relating to the removal of livestock by motor carrier from any county in the state,".

By amending Section 1, sub-section (e), Page 3, Line 27, after the word "market" and before the word "at", by inserting the words: "within the State of Montana".

By amending Section 1, sub-section (e), Page 4, by deleting all of said sub-section (e) beginning with the words "Any shipper" on line 12 and inserting in lieu thereof, the words: "The carrier shall retain one copy, and the shipper shall retain one copy. The provisions relating to the inclusion of estrays in shipments by railroad, as set out in Section 3341 of the Revised Codes of Montana of 1935, as amended by Chapter 137, of the Laws of the Twenty-eighth Legislative Assembly of the State of Montana of 1943, shall be applicable to shipments by motor carrier as in this sub-section provided. Before transporting any animal as in this sub-section provided, a motor carrier shall first establish to the satisfaction of the Livestock Commission of the State of Montana that such carrier is covered by adequate cargo insurance, including insurance that such motor carrier will not transport any animal to any destination except the destination designated in the list herein required, and the livestock commission of the State of Montana is hereby authorized to prescribe rules and regulations governing such cargo insurance, providing for certificates showing that motor carriers have qualified with the provisions for securing such cargo insurance, providing for the display of such certificates, and providing for the revocation of such certificates upon failure to comply with the requirements of this section and the rules and regulations of the Livestock Commission relating thereto."

By amending Section 1, sub-section (e), Page 3, Line 24, by striking out the word "bond" and inserting in lieu thereof, the word "cargo insurance"

By amending Section 1, sub-section (e), Page 4, Line 2, by striking out the word "duplicate" and inserting in lieu thereof, the word "quadruplicate".

By amending Section 1, sub-section (e), Page 4, Line 6, by inserting after the word "firm" and before the word "to", the words "or buyer".

And as amended, do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 51 and 103.

WIEDMAN, Chairman.

I have examined House Bill No. 51, introduced by me and find the same to be correct.

BRICKER.

House please take notice that the Speaker is about to sign House Bill No. 51.



I have examined House Bill No. 103, introduced by me and find the same to be correct.

Committee on Livestock and Public  
Ranges,  
CLARK (Musselshell), Chairman.

House please take notice that the Speaker is about to sign House Bill No. 103.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 be amended as follows:

In the title strike the 'period and the quotes' at the end of the title and add a 'Comma' and the words 'and repealing Paragraph 40, Section 10606, Revised Codes of Montana, 1935.'

Amend further in Section 9 following the word "repeal," in line 20 of the original bill on page 2, by striking the words "All laws or parts of laws inconsistent with the provisions of this act are hereby repealed" and inserting in lieu thereof the words: "Paragraph 40, Section 10606, Revised Codes of Montana, 1935, and all other acts or parts of acts in conflict herewith are hereby repealed."

and, as amended, recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do not pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be concurred in.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 be concurred in.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do not pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 272, recommended that House Bill No. 272 be amended as follows:

Amend the Title by inserting after the word "by" in line 1, the word "Certain", and striking out the words "By a County" in line 2, and inserting after the word "Faith" in line 2, the words, "for preservation of health and sanitation."

Amend Section 1 by inserting in line 2 of said section, after the word "Montana" and before the comma, the words, "having a population of 35,000 or over", and inserting in line 4 of said section, after the figures 1948, the words "for preservation of health and sanitation," and by deleting the figures "1937" in line 5 of said section and inserting in lieu thereof the figures, "1935,"

respectfully report as follows: That House Bill No. 272 as amended do pass.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do not pass but that Substitute House Bill No. 191;

Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Chapter 130 of the Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, relating to the refund of gasoline taxes, the procedure therefor, the persons entitled thereto, fixing penalties and repealing all acts and parts of acts in conflict herewith." do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do not pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 do not pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do not pass.

TRIPP, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Dusak that House Bill No. 106 be taken from Printing and be re-referred to Committee on Social Security. Carried.

Moved by Koch that House Bill No. 402 be taken from Committee on Judiciary and be re-referred to the Committee on Appropriations. Carried.

Moved by Aronow that House Bill No. 432 be taken from Committee on Engrossing and be re-referred to the Committee on Judiciary.

Substitute motion by Loble that further consideration of House Bill No. 432 be indefinitely postponed.

Substitute motion that House Bill No. 432 be re-referred to the Committee on Workmens' Compensation. Loble rose to a point of Order. Point of Order sustained by the Speaker.

Point of Order asked by Mernin that we go back to the Constitution of the State of Montana. Point of Order denied by the Chair.

Substitute motion by Loble carried.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Ganson of Prairie to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

That House Bill No. 311 do pass.

That House Bill No. 291 do pass.

That House Bill No. 251 do pass.

That House Bill No. 240 do pass.

That House Bill No. 224 do pass.

That House Bill No. 108 be amended in the Title by striking out in lines 5 and 6 of the Title of the Printed Bill, after the words: "Taking sufficient", the words: "and adequate", and as so amended, recommend that House Bill No. 108 do pass.

That House Bill No. 90 do pass.

GANSON, Chairman.

Report adopted.

Moved by Loble that the House adjourn until 1:00 P. M. Sunday, February 13, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## FORTY-SECOND LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 13, 1949.

House convened.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Domke, Jarussi, Karlberg and Mulroney, excused.

Mr. Speaker: We, your Committee on the Journal beg to report that we have examined the Journal for the Forty-First Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 330, 340, and 328, 329, 387, 90, 108, 251, 311, 314, 438 and 240.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bill Nos. 386, 372, 394, 392, 155, 224, House Joint Memorial No. 8.

VAN DYKE, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do not pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended as follows:

In the title: in line 25 of Page 1, following the figures "1947," insert the following: "and Sections 1200.7, 1262.44, and 1262.44A, Revised Codes of Montana 1935; and Section 3 of Chapter 217, Laws of 1939,"

In line 27, page 2 of the original bill, following the word "lines," insert a ")",

In Section 4, page 3, in line 14, strike out the words "only when accommodations are available,"; and in line 15, following the word "bus" strike the comma, inserting a period in lieu thereof, and strike the remainder of Section 4.

In line 5, page 4 following the word "thereof" insert the following words: "as defined in this act"; page 5, line 24 following the word "transportation" insert a ","; on page 6, line three insert a "," following the word "county"; on page 7, line 8, change the ";" to a ","; in line 11, page 10 delete the comma following the word "expenditures"; and in 17 set apart in commas the words "for depreciation".

On line 24, page 10, following the numbers "1947," insert the following: "and Sections 1200.7, 1262.44 and 1262.44A, Revised Codes of Montana, 1935; and Section 3 of Chapter 217, Laws of 1939,"

And as amended, do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do pass.

COTTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do pass.

COTTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do not pass.

COTTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do pass.

MERNIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 be amended as follows:

By striking out on page 1 lines 31 and 32 and on page 2, line 1 the following words, "Section 678 Revised Codes of Montana, 1935, as amended by Chapter 81 of the Laws of the 26th Legislative Assembly of the State of Montana, 1939," and inserting in lieu thereof the following, "Chapter 67, Revised Codes of Montana, 1935 as amended by Chapters 81 and 170, Session Laws of Montana 1939, and as amended by Chapters 67 and 141, Session Laws of Montana of 1947,"

And as amended do pass.

TRIPP, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bills Nos. 51 and 103, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:40 o'clock P.M. delivered to the Governor for his approval.

WIEDMAN, Chairman.



## CONSIDERATION OF MESSAGES FROM THE SENATE

February 12, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 102 by Phillips.

Senate Bill No. 110 by Valiton.

Substitute Senate Bill No. 15 by Committee on Public Lands.

Senate Bill No. 101 by Phillips.

Senate Joint Memorial No. 6 by Tibbals et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## MOTIONS AND RESOLUTIONS

Moved by Holding that House Bill No. 373 be taken from General Orders and be re-referred to the Committee on Conservation of Resources. Carried.

Moved by Clark (Musselshell) that House Bill No. 266 be taken from General Orders and be passed for the day. Carried.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Speaker Pro Tem appointed MacDonald of Garfield to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures recommend:

That House Bill No. 183 do pass.

That House Bill No. 216 do pass.

That House Bill No. 220 be passed for the day.

That House Bill No. 223 do pass.

That House Bill No. 309 do pass.

That House Bill No. 326 do pass.

That House Bill No. 341 be amended in Section 1 by adding quotation marks after the word: "therewith" in line 31, and as so amended, recommend that House Bill 341 do pass.

That House Bill No. 404 do pass.

That House Bill No. 410 do pass.

That Substitute House Bill No. 167 do pass.

That House Bill No. 414 be passed for the day.

That House Bill No. 293 do pass.

That House Bill No. 262 do pass.

That House Bill No. 407 consideration be passed for the day.

That House Bill No. 411 do pass.

That House Bill No. 88 do pass.

MacDONALD, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved that House Bill No. 220 be taken from General Orders and be re-referred to the Committee on Highways and Highway Transportation. Carried.

Moved by Loble that the House recess until 3:10 P. M.

House resumed.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 320 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Williams, and Wilson (Judith Basin).

Ayes: Total 60.

Noes: Esp, Frerich, Scofield, Taylor and Wiedman. Total 5.

Absent and not voting: Armstrong, Barnard, Blenkner, Brenner, Burns, Cotton, Culbertson, Domke, Duncan, Harlow, Holding, Jarussi, Karlberg, Krieg, Laas, MacDonald, Martin, Michels, Mulroney, Oliver, Taber, Westlake, Wilson (Treasure), Working and Mr. Speaker. Total 25.

House Bill No. 324 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Wiedman, Williams, Wilson (Judith Basin).

Ayes: Total 67.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Gunderson, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Van Dyke, Westlake, Wilson (Treasure), Working and Mr. Speaker. Total 23.

House Bill No. 274 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 66.

Noes: None.

Absent and not voting: Armstrong, Barnard, Burns, Cotton, Domke, Duncan, Brenner, Emmons, Esp, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Tierney, Westlake, Working and Mr. Speaker. Total 24.

House Bill No. 197 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 64.

Noes: None.

Absent and not voting: Anderson (Phillips), Armstrong, Ballard, Barnard, Brenner, Burns, Cotton, Culbertson, Domke, Duncan, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Standish, Taber, Taylor, Tierney, Van Dyke, Westlake, Working and Mr. Speaker. Total 26.

House Joint Memorial No. 9 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tripp, Van Dyke, Wiedman, Williams, Wilson (Treasure) and Wilson (Judith Basin).

Ayes: Total 65.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Foley, Gunderson, Jarussi, Karlberg, Krieg, Laas, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Tierney, Trout, Westlake, Working and Mr. Speaker. Total 25.

House Bill No. 248 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 69.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Dokken, Westlake, Domke, Duncan, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Working and Mr. Speaker. Total 21.

House Bill No. 330 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Aronow, Ballard, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure) Wilson (Judith Basin).

Ayes: Total 64.

Noes: Scofield and Standish. Total 2.

Absent and not voting: Anderson (Hill), Armstrong, Barnard, Beck, Brenner, Burns, Cotton, Culbertson, Domke, Duncan, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Phillips, Taber, Taylor, Westlake, Working and Mr. Speaker. Total 24.

House Bill No. 340 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Duncan, Duppler, Dusak, Dwyer, Emmons, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Haytin, Holding, Hess, Holtz, Howard, Jensen, Koch, Loble, Loughran, McElwain, Michels, Nixon, O'Neil, Peterson, Robertson, Rostad, Smith, Taber, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure) and Working.

Ayes: Total 43.

Noes: Andersen (Richland), Aronow, Corcoran, Culbertson, Cunningham, Dokken, Esp, Ewing, Frerich, Goodgame, Hall, Harpster, Hawks,

Hoiness, Hunter, Krieg, Laas, Brenner, McCarthy, McKenna, Martin, Mernin, Oliver, Page (Granite), Peters, Phillips, Pierce, Sales, Scofield, Skibby, Standish, Taylor, Tierney, Westlake, Wiedman, Wilson (Judith Basin). Total 36.

Absent and not voting: Armstrong, Barnard, Burns, Cotton, Domke, Jarussi, Karlberg, MacDonald, Mulroney, Page (Missoula), Mr. Speaker. Total 11.

House Bill No. 328 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure) and Wilson (Judith Basin).

Ayes: Total 69.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Hawks, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 21.

House Bill No. 329 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure) and Wilson (Judith Basin).

Ayes: Total 68.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Emmons, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, Nixon, O'Neil, Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 22.

House Bill No. 387 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 67.



Noes: Page (Granite). Total 1.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Corcoran, Cotton, Domke, Duncan, Haytin, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 22.

House Bill No. 90 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Beck, Bricker, Clark (Silver Bow), Dokken, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Peters, Peterson, Phillips, Pierce, Rostad, Sales, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke.

Ayes: Total 49.

Noes: Anderson (Phillips), Blenkner, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Esp, Harlow, Hawks, Howard, Laas, Michels, Nixon, Page (Granite), Robertson, Scofield, Standish, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin). Total 21.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 20.

House Bill No. 108 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 64.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Bricker, Burns, Cotton, Culbertson, Domke, Duncan, Harken, Jarussi, Karlberg, Krieg, MacDonald, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 26.

House Bill No. 251 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Aronow, Ballard, Beck, Blenkner, Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Koch, Loble, McCarthy, McElwain, McKenna, Michels, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 55.

Noes: Anderson (Hill), Clark (Musselshell), Ewing, Hall, Howard, Laas, Loughran, Martin, Mernin, Nixon, Williams. Total 11.

Absent and not voting: Armstrong, Barnard, Brenner, Bricker, Burns,

Cotton, Cunningham, Domke, Duncan, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Missoula), Rostad, Smith, Taber, Taylor, Westlake, Working and Mr. Speaker. Total 24.

House Bill No. 311 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 66.

Noes: None.

Absent and not voting: Armstrong, Barnard, Blenkner, Burns, Cotton, Domke, Duncan, Hall, Hess, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Nixon, Oliver, Page (Missoula), Standish, Taber, Taylor, Westlake, Working, Brenner and Mr. Speaker.

House Bill No. 314 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 58.

Noes: Goodgame, Page (Granite), Phillips and Standish. Total 4.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Clark (Silver Bow), Cotton, Domke, Duncan, Foley, Jarussi, Karlberg, Krieg, MacDonald, McKenna, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Sales, Smith, Taber, Taylor, Tierney, Westlake, Working and Mr. Speaker. Total 28.

House Bill No. 438 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Dokken, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McKenna, Michels, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 59.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Clark (Silver Bow), Cotton, Domke, Duncan, Duppler, Gunderson, Hall, Jarussi, Karlberg, Krieg, MacDonald, McElwain, Martin, Mernin, Mulroney, Nixon,

Oliver, O'Neil, Page (Granite), Page (Missoula), Standish, Taber, Taylor, Westlake, Wiedman, Working and Mr. Speaker. Total 31.

House Bill No. 240 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Nixon, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 67.

Noes: None.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Hall, Harpster, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Sales, Taber, Taylor, Working and Mr. Speaker. Total 23.

House Bill No. 386 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Beck, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Harpster, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Judith Basin).

Ayes: Total 57.

Noes: Anderson (Phillips), Blenkner, Frerich, Goodgame, Hawks, Holding, Peters, Sales, Wiedman, Wilson (Treasure). Total 10.

Absent and not voting: Armstrong, Barnard, Brenner, Burns, Cotton, Domke, Duncan, Hall, Jarussi, Karlberg, Krieg, MacDonald, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Taber, Taylor, Westlake, Working and Mr. Speaker. Total 23.

House Bill No. 372 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Peters, Peterson, Phillips, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Working.

Ayes: Total 59.

Noes: None.

Absent and not voting: Armstrong, Barnard, Beck, Brenner, Bricker, Burns, Cotton, Domke, Duncan, Ewing, Hall, Harpster, Jarussi, Jensen, Karlberg, Krieg, Laas, MacDonald, Michels, Mulroney, Nixon, Oliver, O'Neil,

Page (Granite), Page (Missoula), Pierce, Robertson, Taber, Taylor, Westlake and Mr. Speaker. Total 31.

House Bill No. 394 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Koch, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, O'Neil, Peters, Peterson, Phillips, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

Ayes: Total 57.

Noes: Blenkner and Esp. Total 2.

Absent and not voting: Armstrong, Barnard, Beck, Brenner, Bricker, Burns, Cotton, Cunningham, Domke, Duncan, Ewing, Hall, Harpster, Jarussi, Jensen, Karlberg, Krieg, Laas, MacDonald, McElwain, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Pierce, Robertson, Scofield, Taylor, Mr. Speaker. Total 31.

House Bill No. 392 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Clark (Musselshell), Culbertson, Dokken, Duppler, Dusak, Emmons, Esp, Frerich, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Koch, Laas, Loble, McKenna, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Sales, Scofield, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin).

Ayes: Total 42.

Noes: Aronow, Ballard, Blenkner, Clark (Silver Bow), Corcoran, Cunningham, Dwyer, Foley, Ganson, Gebhardt, Harpster, Howard, Krieg, Loughran, McCarthy, McElwain, Martin, Mernin, Phillips, Robertson, Rostad, Skibby, Smith, Tierney, Wiedman, Wilson (Treasure), Working. Total 27.

Absent and not voting: Armstrong, Barnard, Beck, Brenner, Bricker, Burns, Cotton, Domke, Duncan, Ewing, Hall, Jarussi, Karlberg, MacDonald, Michels, Mulroney, Nixon, Page (Granite), Pierce, Taylor, Mr. Speaker. Total 21.

House Bill No. 155 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Corcoran, Cotton, Cunningham, Dokken, Duppler, Dusak, Esp, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Krieg, Laas, Loble, McElwain, McKenna, Martin, Michels, Nixon, O'Neil, Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Working.

Ayes: Total 63.

Noes: Ballard, Brenner, Clark (Silver Bow), Culbertson, Dwyer, Emmons, Foley, Loughran, McCarthy, Mernin, Smith, Tierney. Total 12.

Absent and not voting: Armstrong, Barnard, Burns, Domke, Duncan, Ewing, Hall, Jarussi, Karlberg, MacDonald, Mulroney, Page (Granite), Phillips, Taylor, Mr. Speaker. Total 15.



House Bill No. 224 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dusak, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working.

Ayes: Total 64.

Noes: None.

Absent and not voting: Armstrong, Barnard, Beck, Bricker, Burns, Cotton, Cunningham, Domke, Duncan, Emmons, Ewing, Hall, Holtz, Jarussi, Jensen, Karlberg, MacDonald, Mulroney, Nixon, Page (Granite), Page (Missoula), Phillips, Pierce, Taylor, Van Dyke, Mr. Speaker. Total 26.

House Joint Memorial No. 8 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Bricker, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Dokken, Dusak, Emmons, Frerich, Goodgame, Harken, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Howard, Hunter, Jensen, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Mernin, Michels, Nixon, O'Neil, Peterson, Pierce, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin).

Ayes: Total 47.

Noes: Ballard, Blenkner, Brenner, Clark (Silver Bow), Duppler, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Hoiness, Krieg, Loughran, Martin, Oliver, Page (Missoula), Peters, Rostad, Sales, Scofield, Skibby, Standish, Taber, Wiedman and Working. Total 26.

Absent and not voting: Armstrong, Barnard, Burns, Cotton, Domke, Duncan, Gunderson, Hall, Haytin, Jarussi, Karlberg, MacDonald, Mulroney, Page (Granite), Phillips, Taylor, Mr. Speaker. Total 17.

Moved by Loble that the House adjourn until 10:00 A. M. Monday, February 14, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTY-THIRD LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 14, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Burns, excused.

Mr. Speaker: We, your Committee on Journal beg to report that we



have examined the Journal for the 42nd Legislative Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that on February 12, House Bill No. 160 was incorrectly reported as printed. The printing report should have read House Bill No. 106, has been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 291.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 303, 216 and 88.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bills No. 183 and 223.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: Nos. 411, 293, 410 and 309.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 273, 279, 381, 391, 434, 174, 253 and 347 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 be amended as follows:

That Section 43 be amended by striking out lines 20, 21, 22, 23 and 24 on page 33;

That Section 46 be amended by striking out at the end of line 32 on page 34, the comma “,” and the word “the” and by striking out in line 1, on page 35, the words “continued existence of which has been authorized”.

That Section 50 be amended by striking out in lines 2 and 3 on Page 37, the words “created or continued in existence pursuant to this act” and by adding after the word “call” in line 3 on page 37, the following; “upon the board of county commissioners of the county within which the district is located, or”;

That Section 57 be amended by striking out in line 20 on page 40, the words “whose continuance has been authorized”;

That Section 58 be amended by striking out in lines 2 and 3 on page 42, the words “whose continuance has been authorized”;

And that as so amended House Bill 297 do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had

under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended as follows:

In title after word "on" and before word "motor" insert the word "new". Section 1: Line 3: After word "motor" and before word "vehicles" insert the word "new". Line 4: After word "taxation" strike out words "in Montana".

And as amended recommend do pass.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 be further amended as follows:

To amend the Title of the bill by striking out in Lines 1 and 2 of the printed bill the following words and figure, "Sub-Section (d) of Section 4, and Sub-Section (c) of Section 7 (b) (1)," and by striking out all that part beginning with the word "as" in Line 4 down to and including the words and figures "1945" in line 11, and inserting the word "last" after the word "as" in Line 11, and striking all that part beginning with the word "all" in Line 13 to and including the word "to" in Line 14, and delete the semi-colon after the word "Benefits" in Line 13, and insert the word "under", after the word "Benefits" in Line 13.

To amend Section 1 of the printed bill by striking out in Line 26 of Page two (2) the letter "e" and inserting in lieu thereof the letter "c".

To amend Section 1 of the printed bill by striking out in Line 29 of Page two (2) the letter "f" and inserting in lieu thereof the letter "d".

And to amend Section 4 by inserting a period after the figure 1949 in Line 3 and striking out all of the following words in Line 3 and 4; "and as to contributed payments and rates under Section 3 of this act, for the calendar year 1949, as of January 1st, of said year."

And as amended, that House Bill No. 106 do pass.

McKENNA, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Emmons of Deer Lodge that we reconsider our action of yesterday in adopting a favorable report on House Bill No. 340.

Substitute motion by McCarthy that further consideration of action on House Bill No. 340 be indefinitely postponed.

Ewing of Broadwater rose to a Point of Order regarding the substitute motion. Sustained.

Original motion carried.

Moved by Emmons that the House request the Senate to return to the House House Bill No. 340. Motion carried.

Moved by Loble that consideration of House Bill No. 31 on General Orders be passed for the day. Motion carried.

Moved by Loble that the time for which the Special Committee on Liquor Investigation to report be extended to the 50th Legislative Day. Motion carried.

Moved by Clark (Musselshell) that consideration of House Bill No. 414 on General Orders be passed for the day. Carried.

### INTRODUCTION OF BILLS

Duncan asked permission to introduce a bill for the expenses of State Government without previous notice. Granted.

Thereupon House Bill No. 439, introduced by the Committee on Appropriations was read first and second times at length: A bill for an act entitled: "An act to appropriate money from the General Fund and Special Funds enumerated herein, for the operation and maintenance of certain state offices and departments for the year ending June 30, 1949, the appropriations made by the Thirtieth Legislative Assembly having been found to be insufficient." Referred to Committee on Appropriations.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows; all appropriations measures having been read at length:

House Bill No. 291 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Domke, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mar-

tin, Mernin, Michels, Mulrone, Nixon, Page (Missoula), Peterson, Rostad, Sales, Skibby, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 61.

Noes: Blenkner, Brenner, Corcoran, Duncan, Duppler, Ewing, Gebhardt, Hawks, Holding, Hoiness, Karlberg, Oliver, Page (Granite), Peters, Phillips, Pierce, Robertson, Scofield, Standish and Working. Total 20.

Absent and not voting: Ballard, Barnard, Burns, Cunningham, Esp, Hall, Krieg, O'Neil and Taylor. Total 9.

House Bill No. 183 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure) and Mr. Speaker.

Ayes: Total 69.

Noes: Goodgame, Jensen, Laas, Mernin, Peters, Tripp and Wilson (Judith Basin). Total 7.

Absent and not voting: Andersen (Richland), Armstrong, Bricker, Burns, Clark (Musselshell), Duncan, Esp, Hall, Holding, Krieg, O'Neil, Taylor, Tierney and Working. Total 14.

House Bill No. 223 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker.

Ayes: Total 73.

Noes: Phillips. Total 1.

Absent and not voting: Andersen (Richland), Armstrong, Ballard, Barnard, Bricker, Burns, Clark (Musselshell), Duncan, Dwyer, Esp, Hall, Krieg, Martin, O'Neil, Taylor and Working. Total 16.

House Bill No. 303 was passed by the following vote and transmitted to the Senate for concurrence: Anderson (Hill), Aronow, Barnard, Beck, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Dusak, Dwyer, Esp, Ewing, Frerich, Gebhardt, Gunderson, Harken, Harlow, Haytin, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulrone, Nixon, Peterson, Robertson, Rostad, Scofield, Smith, Tierney, Trout, Van

Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 51.

Noes: Anderson (Phillips), Blenkner, Brenner, Corcoran, Dokken, Duppler, Emmons, Ganson, Goodgame, Harpster, Hawks, Hoiness, Hunter, Mernin, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Sales, Skibby, Standish, Taber, Tripp and Wilson (Judith Basin). Total 26.

Absent and not voting: Andersen (Richland), Armstrong, Ballard, Bricker, Burns, Clark (Musselshell), Duncan, Foley, Hall, Krieg, MacDonald, O'Neil and Taylor. Total 13.

House Bill No. 216 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Beck, Blenkner, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Haytin, Harlow, Harpster, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 71.

Noes: Brenner, Corcoran, Duppler, Hawks, Oliver, Taber and Wiedman. Total 7.

Absent and not voting: Armstrong, Barnard, Bricker, Burns, Clark (Musselshell), Duncan, Hall, Krieg, MacDonald, Michels, O'Neil and Taylor. Total 12.

House Bill No. 88 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Aronow, Ballard, Beck, Blenkner, Brenner, Corcoran, Cunningham, Dokken, Domke, Duppler, Dwyer, Anderson (Hill), Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker.

Ayes: Total 69.

Noes: Cotton, Culbertson, Dusak and Wilson (Judith Basin). Total 4.

Absent and not voting: Armstrong, Barnard, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Duncan, Hall, Harlow, Krieg, MacDonald, Nixon, Oliver, O'Neil, Pierce, Taylor and Westlake. Total 17.

House Bill No. 411 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Page



(Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Gunderson and Mr. Speaker.

Ayes: Total 76.

Noes: None.

Absent and not voting: Anderson (Phillips), Armstrong, Bricker, Burns, Clark (Musselshell), Duncan, Hall, Harlow, Krieg, MacDonald, Oliver, O'Neil, Scofield and Taylor. Total 14.

House Bill No. 293 was killed by the following vote: Cotton, Culbertson, Domke, Ganson, Howard, Jarussi, Laas, Loble, McCarthy, McElwain, Mulroney, Nixon, Pierce, Robertson, Rostad, Westlake, Williams and Mr. Speaker.

Ayes: Total 18.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Loughran, McKenna, Martin, Michels, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin), and Working. Total 60.

Absent and not voting: Armstrong, Ballard, Bricker, Burns, Clark (Musselshell), Duncan, Hall, Krieg, MacDonald, Mernin, O'Neil, Taylor. Total 12.

House Bill No. 410 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 77.

Noes: None.

Absent and not voting: Armstrong, Brenner, Burns, Clark (Musselshell), Hall, Jensen, Krieg, MacDonald, Mernin, O'Neil, Standish, Taylor and Wilson (Treasure). Total 13.

House Bill No. 309 was passed by the following vote and transmitted to the Senate for concurrence: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce,

Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.

Ayes: Total 76.

Noes: None.

Absent and not voting: Anderson (Phillips), Armstrong, Brenner, Burns, Clark (Musselshell), Emmons, Hall, Haytin, Krieg, MacDonald, McKenna, Nixon, O'Neil, and Taylor. Total 14.

Moved by Loble that the House recess until 2:00 P.M. this day. Carried.

House resumed.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 56, 207, 209, 230, 352, 353, 376, 380 and 423 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 326, 404, 341, 262 and Substitute 167.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a Majority of your Committee on Constitutional Amendments, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do not pass.

VAN DYKE,  
DUPPLER,  
BLENKNER,  
HOINESS.

Mr. Speaker: We, a Minority of your Committee on Constitutional Amendments, respectfully report as follows: That House Bill No. 203 be amended as follows:

That Line 24, page 1 "three-fifths" be stricken and the words "two-thirds" inserted; and that words "voting in" be stricken and the words "elected to" inserted.

And as so amended, recommend that House Bill No. 203 do pass.

TRIPP,  
JARUSSI,  
HARLOW.

Moved by Van Dyke that the Majority report be adopted.

Substitute motion by Tripp that House Bill No. 203 be printed and placed on General Orders.

Substitute motion lost.

Report of the Majority adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges,

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having had under consideration Senate Bill No. 73, respectfully report as follows: That Senate Bill No. 73 be concurred in.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do not pass.

GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be amended as follows:

In lines 13 and 14 of page 1, delete the words and figures "five thousand five hundred dollars (\$5,500.00)", and insert in lieu thereof the words and figures "five thousand dollars (\$5,000.00)"

And as amended recommend that House Bill No. 109 do pass.

GOODGAME, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be concurred in.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass.

BECK, Chairman.

Substitute motion by Holding that House Bill No. 270 be placed on General Orders. Motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do pass.

CLARK (Musselshell), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 be amended as follows:

In Lines 7 and 8 of the printed bill, by striking out the words "Inspection fee to be paid by the person in possession of the carcass or quarter thereof" and inserting in lieu thereof the words "Inspection fee herein provided for to be paid by the person in possession of carcass or quarter thereof, except in the case of a commercial meat peddler or butcher, in which case such fee is to be paid from the appropriate county fund."

And as amended, do pass.

CLARK (Musselshell), Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Mr. Speaker: I move to suspend Section 2 of Rule 38 of the Rules of the House of Representatives of the 31st Legislative Assembly of the State of Montana as concerns the following House Bills: 230, 352, 353, 423, 209, 380, 253, 347, 207, 381, 273, 174, 279, 434, 391, 376, 56, and that the foregoing bills be placed on General Orders for consideration by the Committee of the Whole. Carried.

LOBLE.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 175, 191, 252 and 284 have been returned correctly printed.

O'NEIL, Chairman.

## HOUSE RESOLUTION NO. 4

Introduced by Bricker: "A House Resolution memorializing and requesting the Congress of the United States for the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails."

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the members of the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana now convened in regular session, respectfully request:

WHEREAS, the State of Montana has imposed a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute a substantial portion of the revenues available and needed for its functions of government; and

WHEREAS, it has been brought to the attention of the House of Representatives of the State of Montana, now in regular session assembled, that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this state to violate the law; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such system; that the mails of the United States are flooded with cigarettes in the process of delivery within this state, and on which cigarettes the tax required by the laws of the state have not and will not be paid; that this state is seriously injured and damaged in the loss of revenue from this source, and is at a disadvantage in collecting such lawful tax by and through such system; that the mails of the United States are being used for the express purpose of evading such tax and the enforcement of the laws of the state; and

WHEREAS, it has been brought to the attention of the House of Representatives of the State of Montana that there is now pending before the Congress of the United States a proposed bill which will aid the states by requiring shippers of cigarettes in inter-state commerce to furnish to the taxing authority of the state to which shipped, a copy of the invoice on each shipment and the name and address of each person to whom shipped; and

WHEREAS, such legislation by the Congress of the United States will greatly aid this and the other states of the Union in the enforcement of its laws, and the collection of needed revenue;

NOW, THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Congress of the United States be and the same is hereby memorialized and respectfully urged to enact legislation requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the state to which shipped a copy of the invoice on each such shipment; or to enact such other legislation as will aid the several states affected as may be proper;

BE IT FURTHER RESOLVED:

That a copy of this memorial be transmitted by the Secretary of State of the State of Montana to the Senate and House of Representatives of the Congress of the United States, and to the Senators and Representatives in Congress from the State of Montana and they and each of them be requested to use all honorable means within their power and offices to bring about the enactment of legislation as herein mentioned.

Moved by Bricker for the adoption of the foregoing resolution. Carried.

Moved by Loble that the Resolution as read be not printed.

Moved by Loble that the House reconsider its action in adopting a committee report on House Bill No. 106. Carried.

Requested that the Committee report on House Bill No. 106 be withdrawn from the report of the Committee.

Moved by Cotton that consideration of House Bill No. 347 on General Orders be passed for the day. Carried.

Moved by Hoiness that consideration of House Bill No. 57 on General Orders be passed for the day. Carried.

CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Speaker appointed Hunter to the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 266 do pass.

House Bill No. 407 be amended in Section 1 by adding in line 2 before the words "The city" the words "Section 5040.1"

by striking out in lines 7 and 8 the words "at rates established for like use or service to the inhabitants or industries located inside the corporate limits of such city or town",

by striking out in line 13 and 14 the words "or more according to the last government census"

by adding in line 19 after the word "commission" and the comma, the following: "providing, however, that the rates outside the city cannot exceed one and a half times the rates fixed within the city"

by adding a new paragraph to Section 1 reading as follows:

"Any person, firm or corporation residing either inside or within three miles of the corporate limits of a city owning a municipal water system which furnishes water as a public utility, who shall wilfully turn on the water after the same shall have been shut off by or under the direction of the said city for non-payment of water charges, or who shall unlawfully take water from such water system shall be guilty of a misdemeanor."

and as so amended, recommend that House Bill No. 407 do pass.



House Bill No. 220 do pass.

House Bill No. 106 be amended in Section 1 of the printed bill by striking out, beginning in line 2 and continuing to Line 5 the following words and figures: "as amended by Chapter 137 of the Session Laws of the 26th Legislative Assembly of the State of Montana, 1939, as amended by Chapter 164, Session Laws of the 27th Legislative Assembly of the State of Montana, 1941, and further";

And to further amend Section 1 by inserting before the word "amended" in line 5, the words "as last".

And to further amend Section 1 of the printed bill by striking out in line 26 of Page 2, the letter "(e)" and inserting in lieu thereof the letter "(c)".

And to further amend Section 1 of the printed bill by striking out in line 29 of Page 2, the letter "(f)" and inserting in lieu thereof the letter "(d)".

Be amended in Section 4 in the printed bill by inserting a period after the figures "1949" in Line 3, and striking out all of the following words and figures in Lines 3 and 4 to wit: "and as to contribution payments and rates under Section 3 of this act, for the calendar year 1949, as of January 1st, of said year."

That House Bill No. 106 be amended in the Title by striking out in lines 1 and 2 of the printed bill the following words and figures, "Sub-Section (d) of Section 4, and Sub-Section (c) of Section 7 (b) (1)," and by striking out all that part beginning with the word "as" in Line 4 down to and including the word "and" in Line 11, and inserting the word "last" after the word "as" in Line 11, and striking all that part beginning with the word "all" in Line 13 to and including the word "to" in Line 14, and delete the semi-colon after the word "Benefits" in Line 13, and insert the word "under" after the word "Benefits" in Line 13.

And as so amended, recommend that House Bill No. 106 do pass.

House Bill No. 230 do pass.

House Bill No. 352 do pass.

House Bill No. 353 do pass.

House Bill No. 423 do pass.

House Bill No. 209 be amended by adding a new sub-section, following sub-section 10, of Section 1, to be numbered 11, as follows: "(11) Alimony. Alimony paid periodically under a decree of divorce. All such payments to constitute taxable income to payee named in the decree.

amend further, by re-numbering sub-section (11), of the original bill to read (12)

and as so amended recommend that House Bill No. 209 do pass.

House Bill No. 380 do pass.

House Bill No. 253 do pass.

House Bill No. 381 do pass.

House Bill No. 273 do pass.

House Bill No. 174 do pass.

House Bill No. 279 do pass.

House Bill No. 434 do pass.

House Bill No. 391 be amended in Section I by adding in line 19 after the word, desire; the following: "providing, however, the office may be closed from 1 o'clock P.M. to 5 o'clock P.M. on Saturdays." and as so amended recommend that House Bill No. 391 do pass.

House Bill No. 376 do pass.

HUNTER, Chairman.

Report adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be printed and placed on General Orders.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do not pass.

DOMKE, Chairman.

Substitute motion by Mernin that House Bill No. 152 be printed and placed on General Orders. Substitute motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

DOMKE, Chairman.

Substitute motion by Peterson that House Bill No. 215 be printed and placed on General Orders. Substitute motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do pass.

DOMKE, Chairman.

Substitute motion by Mernin that House Bill No. 165 be not adopted. Substitute motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 be amended as follows: in subdivision (c) Section 2 by inserting in line 30 of the original bill after the word "any" the following: "pinball or any mechanical skill game or any" and as so amended recommend House Bill No. 363 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 be amended in Section 1 by striking out in line 25 the figure "\$500,000" and inserting in lieu thereof the figures "\$450,000"; by striking out in line 27 the words and figures "\$200,000 and up to \$500,000" and inserting in lieu thereof the words and figures "\$140,000 and up to \$450,000"; by striking out in line 29 the figure "\$200,000" and inserting in lieu thereof the figure "\$140,000". and as so amended recommend that House Bill No. 121 do pass.

TIERNEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 181, 218, 310, 331, 339 and Substitute House Bill No. 66 have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House adjourn until 10:00 A. M. Tuesday, February 15, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTY-FOURTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 15, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Barnard, Burns, Gunderson, and Williams, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Forty-third Legislative Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 342, 285, 122, 243, 318 and 383 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Holding of Missoula rose to speak to a point of personal privilege state as follows:

"Mr. Speaker and Honorable Members of this Assembly: It would seem very fitting at this time that this Assembly note that Walter L. Pope,

a former member of this House, a distinguished member of the Montana State Bar, and a highly respected and beloved citizen of Missoula County, has received the unusual honor and distinction of having been nominated by the President of the United States to a judgeship on the United States Circuit Court. This legislative body and all of Montana will rejoice in wishing a long and successful judicial career for this distinguished jurist.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 be amended as follows:

By striking out in the title in the sixth line of the original bill after the words "trial juror" and the comma, commencing with "and section" down to and including the words "summoning jurors" and amend further by striking all of Sections 2, 3, 4, 5, 6 and 7 of said bill,

and as amended recommend that the bill do pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do not pass.

Committee on Judiciary,  
HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be amended as follows:

In the title: line 4, delete the words "and tops"; and in Section 1. in line 11 following the word "with" delete the ":", and delete sub-sections (a) and (b) in their entirety, and insert in lieu thereof the words "a windshield."

And as so amended, recommend the bill do pass.

COTTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do not pass; but that Substitute House Bill No. 357, a bill for an act entitled: "An act to appropriate money for the operation and maintenance of the State Purchasing Department, for the present fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly was insufficient." do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 do not pass.

DOMKE, Chairman.

Substitute Motion that House Bill No. 369 be printed and placed on General Orders. Motion lost.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 14, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bills Nos. 51 and 103.

JOHN W. BONNER,  
Governor.

February 14, 1949.

Mr. Speaker:

On motion of Senator Moss, the request of House of this day for the return of House Bill No. 340 was granted, and the bill is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

#### MOTIONS AND RESOLUTIONS

Moved by Howard that House Bill No. 347 on General Orders be passed for the day. Carried.



Moved by Hoiness that House Bill No. 323 be taken from printing and be re-referred to the Committee on Judiciary.

Moved by Koch that further action on House Bill No. 323 be indefinitely postponed. Motion carried.

Moved by Loble that consideration of House Bill No. 31 be passed for the day. Carried.

Moved by Emmons that House Bill No. 56 be passed for the day. Carried.

Moved by Loble that House Bill No. 340 be taken from Third Reading and be re-referred to General Orders. Carried.

Moved by Harlow that the House reconsider its action of yesterday in adopting an adverse committee report by the appropriations Committee on House Bill No. 81. Carried.

Moved by Harlow that House Bill No. 81 be printed and placed on General Orders. Carried.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a Majority Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass, but that Substitute House Bill No. 337 a bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful; and defining such waste by amending Section 3554.3 relating to qualifications of board members; by amending Section 3554.5, relating to employment and compensation of a secretary and other help by the board; by amending Section 3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board Fund; by adding to said Chapter 305 Sections 3554.19, 3554.20 and 3554.21, as follows: Section 3554.19, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the oil and gas division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections 3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana of 1935." do pass and be referred to the Appropriations Committee.

PAGE (Granite)  
CUNNINGHAM  
LAAS  
PETERSON  
ANDERSON (Phillips)  
WILLIAMS  
WILSON  
DUPPLER  
ROBERTSON  
SKIBBY

Mr. Speaker: We, a Minority of your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass.

And after having had under consideration Substitute House Bill No. 337,

a bill for an act entitled: "An act to amend Chapter 305 of the Revised Codes of Montana of 1935, relating to the conservation of oil and natural gas, and to the Oil Conservation Board of the State of Montana, by amending Section 3554.1, declaring the waste of crude petroleum unlawful; and defining such waste by amending Section 3554.3, relating to qualifications of board members; by amending Section 3554.6, relating to employment and compensation of a secretary and other help by the board; by amending Section 3554.9, relating to powers and duties of the Oil Conservation Board; by amending Section 3554.11, relating to complaints of waste of crude petroleum, investigations and hearings thereon; by amending Section 3554.17, relating to the Oil Conservation Board Fund; by adding to said Chapter 305 Sections 3554.19, 3554.20 and 3554.21, as follows: Section 3554.19, providing that rules, regulations and orders of the Board of Railroad Commissioners issued pursuant to Chapter 305, shall remain in effect until abrogated; Section 3554.20, substituting the Oil Conservation Board for the Board of Railroad Commissioners in matters pertaining to regulatory authority under Chapter 305; Section 3554.21, providing for transfer to the Oil Conservation Board of records, property and equipment of the oil and gas division of the Board of Railroad Commissioners; providing an appropriation for the administration of this act; and repealing Sections 3552.1, 3552.2, 3552.3, 3552.4, 3554.19 and 3855, Revised Codes of Montana of 1935."

Respectfully report as follows: That Substitute House Bill No. 337 do not pass.

ARONOW.

Moved by Page of Granite that the Majority report be adopted.

Moved by Aronson that the Minority report be adopted.

Substitute motion lost.

Original motion carried.

Aronow rose to a point of order.

The Speaker stated that he was not in a position to rule on the Point of Order on Substitute House Bill No. 337 until after checking over the two bills. Stated he would report later on same.

Moved by Domke that Section 2 of Rule 36 be suspended for the purpose of Introduction of Punch Board Revenue stamps.

Referred to Rules Committee.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Mernin of Silver Bow to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 414 be amended in Section 1 by striking out in line 3 of the printed bill, the figure 14, and inserting in lieu thereof, the figure 60; and by striking out in line 6 of the printed bill, the figure 30, and inserting in lieu thereof, the figure 60; and amend further by striking all of Section 3, and as so amended recommend that House Bill No. 414 do pass.

House Bill No. 175 do pass.

House Bill No. 252 be amended by striking out all of lines 1 through 15 inclusive, the same being all of the preamble to said House Bill No. 252, and as so amended, recommend that House Bill No. 252 do pass.

House Bill No. 284 be amended in Section 5 by adding after the word "office" in line 2, the words: "open for the transaction of business"

be amended in Section 9 by striking out in line 4, after the figure "\$300.00" and before the word "by" the word: "nor", and inserting in lieu thereof the word: "or", and as amended, recommend that House Bill No. 284 do pass.

House Bill No. 181 do pass.

House Bill No. 218 do pass.

House Bill No. 310 do pass.

MERNIN, Chairman.

Moved by Wiedman that House Bill No. 252 be segregated from the report of the Committee of the Whole. Carried.

Report adopted.

Moved by Loble that the House recess until 2:00 P.M. this day.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 423, 353, 352, 273, 376, 391, 380, 434, 253, 407, 266, 279 and 381.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: House Bill Nos. 174, 230 and 310.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do not pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass, but that Substitute House Bill No. 286, a bill for an act entitled: "An act to amend Section 836.6, Revised Codes of Montana, 1935, as last amended by Chapter 291 of the Laws of the 30th Legislative Assembly, 1947, relating to the use of state funds in the erection of residence halls at the units of the Greater University of Montana." do pass.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had

under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the motion of the gentleman from Cascade, Mr. Domke, for suspension of Section 2 of Rule 36 for the purpose of introducing a revenue bill relating to the manner of affixing stamps to punch boards, without notice, and after the 35th day, respectfully report as follows:

That said motion do carry.

LOBLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do not pass but that Substitute House Bill No. 115: a bill for an act entitled: "An act providing for the examination, licensing and regulation of nursing attendants, providing for the accreditation and survey of courses for training nursing attendants; defining certain violations and providing for the prosecution and penalties thereof." do pass.

JARUSSI, Chairman.

Report adopted.

Moved by Wiedman that House Bill No. 253 be taken from Third Reading and be placed back on General Orders. Carried.

### INTRODUCTION OF BILLS

The following measures were introduced, read first and second times, and referred to Committees, all appropriation measures having been read at length:

House Bill No. 440, introduced by Domke: A bill for an act entitled: "An act to amend Chapter 298, Session Laws, 1947, relating to license tax on trade stimulators including punch boards, pull cards, and similar devices; providing for the manner of affixing stamps and sale thereof by licensed jobbers; defining the term licensed jobbers; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

The Speaker gave his ruling on Substitute motion by Aronow on Substitute House Bill No. 337 denying the Point of Order raised.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 326 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Ballard, Beck, Brenner, Bricker, Burns, Cotton, Duncan, Gebhardt, Gunderson, Haytin, Hess, Howard, Krieg, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Skibby, Taber, Taylor, Westlake, and Working. Total 23.

House Bill No. 404 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Hawks, Holding, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 63.

Noes: None.

Absent and not voting: Anderson (Phillips), Ballard, Brenner, Bricker, Burns, Cotton, Cunningham, Duncan, Dwyer, Gebhardt, Gunderson, Harpster, Haytin, Hess, Howard, Hunter, Krieg, MacDonald, Nixon, O'Neil, Page (Missoula), Phillips, Standish, Taber, Taylor, Westlake, and Working. Total 27.

House Bill No. 341 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Holding, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Cotton, Cunningham, Duncan, Gunderson, Haytin, Hess, Hoiness, Howard, Krieg, MacDonald, Nixon, O'Neil, Page (Musselshell), Phillips, Taber, Taylor, Tierney, Westlake, and Working. Total 22.



House Bill No. 262 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Hall, Harken, Harlow, Hawks, Holding, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker. Total 64.

Noes: Goodgame. Total 1.

Absent and not voting: Ballard, Brenner, Bricker, Burns, Cotton, Domke, Duncan, Dusak, Ewing, Gebhardt, Gunderson, Harpster, Haytin, Hess, Hoiness, Howard, Krieg, MacDonald, Nixon, O'Neil, Page (Missoula), Taber, Taylor, Westlake, and Working. Total 25.

Substitute House Bill No. 167 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Holding, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Cotton, Duncan, Dusak, Ewing, Gunderson, Harpster, Haytin, Hess, Hoiness, Howard, Krieg, MacDonald, McKenna, O'Neil, Standish, Taber, Taylor, Van Dyke, Westlake, and Working. Total 23.

House Bill No. 423 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Holding, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 64.

Noes: Blenkner, Esp, and Wiedman. Total 3.

Absent and not voting: Ballard, Brenner, Bricker, Burns, Cotton, Duncan, Dusak, Dwyer, Ewing, Gunderson, Haytin, Hess, Hoiness, Howard, Krieg, Nixon, O'Neil, Page (Missoula), Peters, Taber, Taylor, Westlake and Working. Total 23.

House Bill No. 353 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Dwyer, Emmons, Esp, Foley, Frerich, Goodgame, Harken, Harlow, Hawks, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Michels, Mulroney, Oliver, Page (Granite), Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 60.

Noes: Rostad. Total 1.

Absent and not voting: Ballard, Brenner, Bricker, Burns, Cotton, Duncan, Duppler, Dusak, Ewing, Ganson, Gebhardt, Gunderson, Hall, Harpster, Haytin, Hess, Howard, Krieg, MacDonald, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Peters, Taber, Taylor, Westlake and Working. Total 29.

House Bill No. 352 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Emmons, Esp, Foley, Frerich, Ganson, Goodgame, Harken, Harlow, Hawks, Holding, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Michels, Mulroney, Oliver, Page (Granite), Peterson, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Peters and Mr. Speaker. Total 59.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Cotton, Duncan, Dusak, Dwyer, Ewing, Gebhardt, Gunderson, Hall, Harpster, Haytin, Hess, Hoiness, Howard, Krieg, MacDonald, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Taber, Taylor, Westlake and Working. Total 31.

House Bill No. 273 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Emmons, Foley, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, Michels, Mulroney, Page (Granite), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure) and Mr. Speaker. Total 51.

Noes: Duppler, Frerich, Holding, Oliver, Peterson, Tripp, and Wilson (Judith Basin). Total 7.

Absent and not voting: Armstrong, Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Cotton, Duncan, Dusak, Dwyer, Esp, Ewing, Gunderson, Hall, Haytin, Hess, Hoiness, Howard, Krieg, MacDonald, McElwain, McKenna, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Taber, Taylor, Westlake and Working. Total 32.

House Bill No. 376 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill),

Armstrong, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McKenna, Michels, Mulroney, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Aronow and Mr. Speaker. Total 66.

Noes: Page (Granite). Total 1.

Absent and not voting: Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Cotton, Duncan, Dwyer, Esp, Ewing, Gunderson, Harpster, Hoiness, Howard, Laas, MacDonald, McElwain, Martin, Mernin, Nixon, O'Neil, Taylor. Total 23.

House Bill No. 391 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Dusak, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 63.

Noes: Phillips, and Skibby. Total 2.

Absent and not voting: Ballard, Barnard, Blenkner, Brenner, Bricker, Burns, Cotton, Dokken, Duncan, Duppler, Dwyer, Esp, Ewing, Gunderson, Hoiness, Howard, Krieg, MacDonald, Mernin, Nixon, O'Neil, Sales, Taber, Taylor, and Westlake. Total 25.

House Bill No. 380 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 75.

Noes: Page (Granite). Total 1.

Absent and not voting: Ballard, Barnard, Blenkner, Bricker, Burns, Esp, Ewing, Gunderson, Hoiness, Howard, Krieg, Martin, Mernin, and Taber. Total 14.

House Bill No. 434 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Brenner, Clark (Musselshell), Clark (Silver

Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 64.

Noes: Page (Granite). Total 1.

Absent and not voting: Ballard, Barnard, Blenkner, Bricker, Burns, Cotton, Duncan, Emmons, Esp, Ewing, Gunderson, Hoiness, Howard, Krieg, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Standish, Taber, Taylor, Westlake, Williams, and Working. Total 25.

House Bill No. 407 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker. Total 58.

Noes: Holding and Wiedman. Total 2.

Absent and not voting: Andersen (Richland), Ballard, Beck, Blenkner, Brenner, Bricker, Burns, Cotton, Domke, Duncan, Dwyer, Emmons, Esp, Ewing, Gebhardt, Gunderson, Hoiness, Howard, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Standish, Taber, Taylor, Van Dyke, Westlake, Barnard and Working. Total 30.

House Bill No. 266 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Dusak, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 58.

Noes: Corcoran, Duppler, and Oliver. Total 3.

Absent and not voting: Ballard, Blenkner, Brenner, Bricker, Burns, Cotton, Domke, Duncan, Dwyer, Emmons, Esp, Ewing, Gebhardt, Gunderson, Hoiness, Howard, Krieg, Loble, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Sales, Standish, Taber, Taylor, Westlake, and Working. Total 29.

House Bill No. 279 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak,



Emmons, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Tripp, Trout, Van Dyke, Williams, Wilson (Judith Basin) and Mr. Speaker. Total 59.

Noes: Frerich, Tierney and Wiedman.

Absent and not voting: Ballard, Blenkner, Brenner, Bricker, Burns, Cotton, Duncan, Dwyer, Esp, Ewing, Gunderson, Hess, Howard, Hunter, Krieg, Loughran, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Skibby, Standish, Taber, Taylor, Westlake, Wilson (Treasure) and Working. Total 28.

House Bill No. 381 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Esp, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 64.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Bricker, Burns, Cotton, Duncan, Dwyer, Emmons, Ewing, Gebhardt, Gunderson, Hess, Howard, Jarussi, Krieg, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Pierce, Standish, Taber, Taylor, and Van Dyke. Total 26.

House Bill No. 174 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Clark (Musselshell), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Koch, Loble, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Peters, Phillips, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Tierney, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), and Mr. Speaker. Total 57.

Noes: Jensen, Oliver, Peterson and Wilson (Judith Basin). Total 4.

Absent and not voting: Ballard, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Cotton, Duncan, Dwyer, Ewing, Ganson, Gunderson, Hess, Howard, Krieg, Laas, Loughran, MacDonald, Mernin, Nixon, O'Neil, Page (Missoula), Pierce, Sales, Taber, Taylor, Tripp, Westlake and Working. Total 29.

House Bill No. 230 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow,



Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Peters, Peterson, Phillips, Robertson, Rostad, Scofield, Skibby, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 29.

Noes: None.

Absent and not voting: Ballard, Blenkner, Brenner, Bricker, Burns, Cotton, Cunningham, Duncan, Dwyer, Ewing, Gunderson, Hess, Howard, Krieg, Laas, Loughran, MacDonald, Mernin, Nixon, Oliver, O'Neil, Page (Missoula), Pierce, Sales, Smith, Taber, Taylor, Westlake and Working. Total 29.

House Bill No. 310 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Dusak, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Haytin, Hoiness, Holtz, Hunter, Jarussi, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Page (Granite), Peters, Phillips, Robertson, Rostad, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 53.

Noes: Culbertson, Duppler, Ganson, Holding, Jensen, Karlberg, Koch, Oliver, Peterson, Sales, Scofield, Skibby. Total 12.

Absent and not voting: Aronow, Ballard, Blenkner, Brenner, Bricker, Burns, Cotton, Duncan, Dwyer, Ewing, Gunderson, Hawks, Hess, Howard, Krieg, MacDonald, Nixon, O'Neil, Page (Missoula), Pierce, Smith, Taber, Taylor, Westlake, and Working. Total 25.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 221 and 319 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 be amended as follows:

In Lines 23 and 24 of Page 1, by deleting the words "to One Hundred Dollars (\$100.00)" and inserting in lieu thereof, the words "per section and upward to such amount as may be fixed by the State Board of Land Commissioners."

In Line 3 of Page 2, by changing the year "1948" to read "1950".

In Line 5 of Page 2, by changing the year "1947" to read "1949."

In Lines 5, 6, 7, 8, 9 and 10, of Page 2 deleting all of the words "shall be increased by twenty per cent (20%) thereof; provided, however, there shall be no increase in the annual rental under leases based on classification number four, it being specifically intended there shall be no twenty per cent (20%) increase in the annual rental under leases falling within

such classification." and inserting in lieu thereof, the words "as herein provided." And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do pass.

BARNARD, Chairman.

Report adopted.

House please take notice that the Speaker is about to sign House Joint Resolution No. 3.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 3.

WIEDMAN, Chairman.

I have examined House Joint Resolution No. 3 introduced by me and find the same to be correct.

BRICKER.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 do not pass.

BARNARD, Chairman.

Report adopted.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Peters of Yellowstone to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 331 be amended in the title of House Bill No. 331 in lines 7 and 8 of said title by striking therefrom the words: "and to re-enact all of the remainder of said Chapter 204, Laws of 1945.", and as so amended, recommend that House Bill No. 331 do pass.

House Bill No. 339 do pass.

Substitute House Bill No. 66 be amended in Section 1 by striking out in line 41, page 2, the word "provision" and inserting in lieu thereof the word "Section", and as amended, recommend that Substitute House Bill No. 66 do pass.

House Bill No. 340 be amended in Section 1 by striking out in lines 1, 2, 3, and 4 the words: "it shall be unlawful for any person to fish with hook or line, commonly called angling, from any boat or from any other floating device in the waters of the Big Hole River from the bridge at Melrose on the Silver Bow-Beaverhead County line to its confluence with the Jefferson River; or", and by striking out in Line 7 the words: "or from Meadow Lake Dam to its confluence with the Missouri River."

Amend the title of House Bill No. 340 by striking out in line 2 the words "on certain portions of the Big Hole River and".

Amend the title of House Bill No. 340 by striking out in line 4 thereof

the words "these streams", and inserting in lieu thereof the words "this stream", and as so amended, recommend that House Bill No. 340 do pass.

House Bill No. 253 enacting clause be stricken.

House Bill No. 252 enacting clause be stricken.

PETERS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 225, 374, Substitute House Bills Nos. 298, 191 and 226 have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House adjourn until 10:30 A.M. Wednesday, February 16, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTY-FIFTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 16, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Ballard, Bricker, Burns, McKenna, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Forty-fourth Legislative Day, and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 218, 220, 106, 181, 209, and House Bill No. 175 considered correctly engrossed.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 be amended as follows:

By striking out in lines 11 and 12 of the title, the words: "creating an Emergency Grasshopper Control Fund;"

And amend Section 3 by striking out in lines 24, 25 and 26 of page 2, the following words: "which sum shall be credited to the Emergency Grasshopper Control Fund in the State Treasury, hereby created." and inserting in line 24 after the words "set forth," a period.

And that as so amended, said House Bill No. 304 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 be referred to the Judiciary Committee.

DUNCAN, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 be amended as follows:

By striking out in line 3 of the title, after the word "entitled" the following words: "An act appropriating money for the payment for flood damage", and inserting in lieu thereof the words: "an act for damages", and by further amending the title by striking out in line 8 the following words: "and providing for the method of providing and paying such claims."

and by amending Section 1, by striking out lines 10, 11, 12, 13, 14, 15, 16 and the following words in line 17: "May, 1948."

And as so amended, House Bill No. 402 be referred to the Judiciary Committee.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 do pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 do not pass.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 be amended as follows:

In line 16 on page 1 in Section 1, strike the words "passage and approval" and insert in lieu thereof the words "effective date".

Amend Section 4 by striking beginning after the period in line 13 on page 2, on through to the end of Section 4 and inserting in lieu thereof the following: "The Commissioner shall prepare pocket part supplementation of existing codes and re-codifications of the laws of Montana at intervals to be determined by the Supreme Court, in form and content as shall be decided upon by the code commissioner and the Justices of the Supreme Court, the cost of printing of any such pocket part supplementation or re-codification to be paid out of moneys appropriated by the legislature for such purpose, unless the work be done by private publishers under a contract involving no printing or publication cost to the state except for the completed publication. It shall be the further duty of the commissioner,



in the interim between legislative sessions, to prepare tentative bills for consideration of the legislature to effect the purposes for which the commission is created; during and prior to sessions of the legislature, to recommend corrective legislation and to prepare bills requested by public officers and members or members-elect of the legislature, to examine proposed bills and to consult with and advise members of the legislature in that behalf and to supervise and correlate the work of law clerks and other employees of the state Senate and the House of Representatives with the object of insuring that proposed bills express the meaning and result intended and shall be properly co-ordinated with existing laws and other proposed enactments; and to revise and codify particular branches or subjects of the law as may be directed by the code commission or the legislature.

Amend Section 5 in line 32 of page 2 by striking the word "permanent" and further amend Section 5 by striking in line 2 on page 3 the figures "6,000" and inserting in lieu thereof the figures "5,400".

Amend Section 7 by striking the three last words of Section 7, to wit: "doing of same" and inserting in lieu thereof the following: "performance of his duties as herein set out, but at a total expense not to exceed monies appropriated for such purposes by the legislature."

Amend Section 8 by striking out lines 14, 15 and 16 on page 3, and inserting in lieu thereof the following: "sum of \$10,000.00 for the fiscal year beginning July 1, 1949 and ending June 30, 1950 and the sum of \$10,000.00 for the fiscal year beginning July 1, 1950 and ending June 30, 1951."

Finally, to amend said bill by striking Section 11 thereof.

And that as amended, House Bill No. 396 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 be amended as follows:

Amend Section 2 by striking out in lines 16½ and 17½ the words and figures "ten thousand dollars (\$10,000.00)", and inserting in lieu thereof the words and figures "Eight Thousand Dollars (\$8,000.00)"

And as so amended, said House Bill No. 201 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 420, 289, 269, 435, 302 and 281 have been returned correctly printed.

O'NEIL, Chairman.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 15, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 158 by Fish and Game Committee.

House Bill No. 185 by Koch and McElwain and Dwyer.

House Bill No. 130 by Appropriations Committee.

House Bill No. 134 by Appropriations Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 102 by Andersen of Richland.

House Bill No. 74 by Committee on Judiciary.

House Bill No. 132 by Appropriations Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

#### MOTIONS AND RESOLUTIONS

Moved by Howard that House Bill No. 347 be moved to the bottom of the list on General Orders. Carried.

Moved by Loble that House Bill No. 225 be moved to the top of the list on General Orders. Carried.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed Holtz of Cascade to take the Chair.

Committee arose with request to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

H. B. 225 — be amended in the title in the 4th line from the end of said title on page 3 of the printed bill, by striking out the figures "3526" and substituting in lieu thereof the figures "3529".

Be amended by adding at the end thereof two Sections to be designated as Sections 30 and 31 and to read as follows: to-wit:

"Section 30. In the event that any Section of this Act, any part or any paragraph of this act, any sentence of this act, any phrase of this act, or any word of this Act is held invalid, all other parts of this Act in toto shall be held valid and in full force and effect from and after its effective date."

"Section 31. All acts and parts of acts in conflict herewith are hereby repealed.", and as so amended recommend that House Bill 225 do pass.

HOLTZ, Chairman.

Report adopted.

Moved by Loble that the House again resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed Holtz to take the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

H. B. 31 — be amended in Section 4 by striking out in line 14, page 3 of the original bill the amendments inserted by the Committee of Education, and Section 4 to appear as it does in the printed bill, and as amended recommend that House Bill No. 31 do pass.

H. B. 56 — Enacting clause be stricken.

HOLTZ, Chairman.

Report adopted.

Substitute motion by Emmons of Deer Lodge, that House Bill No. 56 be segregated from the Report of the Committee of the Whole report and a demand for a roll call vote be taken and entry in the Journal. There being a sufficient number of seconds, the following vote was taken.

Anderson (Phillips), Armstrong, Aronow, Clark (Musselshell), Domke, Dwyer, Emmons, Frerich, Ganson, Haytin, Holding, Howard, Hunter, Jensen, Karlberg, Krieg, Laas, Loble, McCarthy, McElwain, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Rostad, Smith, Tripp, Van Dyke, Westlake, Williams and Mr. Speaker.

Ayes: Total 32.

Noes: Andersen (Richland), Anderson (Hill), Barnard, Beck, Blenkner, Clark (Silver Bow), Cotton, Culbertson, Dokken, Duppler, Dusak, Esp, Ewing, Foley, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Hess, Hoiness, Holtz, Jarussi, Koch, MacDonald, Martin, Mernin, Oliver, O'Neil, Peters, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Standish, Taber, Taylor, Trout, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Working. Total 47.

Absent and not voting: Ballard, Brenner, Bricker, Burns, Corcoran, Cunningham, Duncan, Loughran, McKenna, Peterson, Tierney. Total 11.

Motion lost.

Moved by Loble that the House recess until 2:00 P. M.

House resumed.

## REPORT OF SELECT COMMITTEES

### HOUSE RESOLUTION NO. 5

#### INTRODUCED BY LIQUOR INVESTIGATION COMMITTEE

A House Resolution citing W. C. Mitchell for contempt.

BE IT RESOLVED, By the House of Representatives of the Thirty-First Legislative Assembly of the State of Montana:

WHEREAS, on the 15th day of February, 1949, a Subpoena duly signed by the Chairman of the Special Committee appointed by the House of Representatives to investigate the Montana Liquor Control Board, addressed

to W. C. Mitchell requiring the attendance of said W. C. Mitchell before said Special Committee on the 16th day of February, 1949, at the hour of 9 A. M. of said day in Room 220 of the Capitol Building, as a witness before said Special Committee, and

WHEREAS said Subpoena was placed in the hands of the Assistant Sergeant-at-Arms of the House of Representatives on said 15th day of February, 1949, for service upon said W. C. Mitchell, and

WHEREAS, the said Assistant Sergeant-at-Arms did, on the 15th day of February, 1949, in the Capitol Building at Helena, Montana, duly and regularly serve said Subpoena upon said W. C. Mitchell by exhibiting to said W. C. Mitchell the original, and leaving with him personally a true copy thereof and at the same time informing said W. C. Mitchell of the nature and contents of said Subpoena, and making return thereon, and

WHEREAS, as the hour and place set in said Subpoena, to-wit, February 16, 1949, at Room 220 of the Capitol Building, said Committee being present and in meeting, the said W. C. Mitchell neglected and refused to obey such Subpoena and neglected and failed to be and appear before said Committee as in said Subpoena directed,

NOW, THEREFORE,

BE IT RESOLVED that the Sergeant-at-Arms of the House of Representatives be, and he is hereby directed and authorized to forthwith arrest the said W. C. Mitchell, and without delay bring him before this House, and

BE IT FURTHER RESOLVED that the Warrant of Authority for such arrest shall be a copy of this Resolution, signed by the Speaker and countersigned by the Clerk.

BE IT FURTHER RESOLVED that this Resolution be entered upon the Journal of the House of Representatives.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

Moved by Tierney for adoption of the Committee Report. Carried.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders, under rules of the previous sitting.

Mr. Speaker appointed Blenkner to take the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 122 do pass.

House Bill No. 243 do pass.

House Bill No. 318 do pass.

House Bill No. 383 do pass.

House Bill No. 342 do pass.

House Bill No. 285 — amend Section 4 to read as follows: Section 4.

All acts and parts of acts in conflict herewith are hereby repealed, "save and except that nothing in this Act is to be construed as repealing any of the provisions of Chapter 44 or Chapter 102 of the 1943 Session Laws of the State of Montana.", and as so amended, recommend that House Bill No. 285 do pass.

House Bill No. 319 do pass.

House Bill No. 221 do pass.

House Bill No. 296 do pass.

House Bill No. 374 do pass.

Substitute House Bill No. 226 do pass.

Substitute House Bill No. 298 do pass.

Substitute House Bill No. 191 do pass.

House Bill No. 347 be amended in Section 1 in line 22 of the printed bill, after the word "and" and before the word "board" by inserting the word "the", and in line 23, by striking the words: "receiving electric service from the co-operative" and in line 26 after the word "members" and before the word "at" by inserting the word "voting" and further amend in lines 30 and 31 by striking the words: "receiving electric energy and service from the co-operative", and as so amended, recommend that House Bill No. 347 do pass.

BLUNKER, Chairman.

Report adopted.

Moved by Mernin that Substitute House Bill No. 226 be segregated from the Report of the Committee of the Whole. Motion lost. Report adopted.

Sergeant-at-Arms advised the Speaker that he had the prisoner, W. C. Mitchell in the foregoing Contempt citation.

Speaker asked Mr. Mitchell if he would be willing now to appear before the Special Investigation Committee for the purpose of answering the questions put to him as a witness.

He replied in the affirmative.

Moved by Loble that further interrogations on W. C. Mitchell be withheld until he has been questioned by the members of the said Committee. Carried.

Sergeant-at-Arms was directed by the Speaker to deliver the accused to the Liquor Investigation Committee, which Committee was immediately excused.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do not pass.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do not pass but that Substitute House Bill 402, a bill for an act entitled: "An act to permit certain residents of Ravalli County, Montana, to file an action at law against the State of Montana, and the Water Conservation Board of the State of Montana, in the District Court of the Fourth Judicial District of the State of Montana in and for the



County of Ravalli, because and by reason of damages allegedly suffered by them, through the breaking of a dam constructed by the Water Conservation Board under authority of the Water Conservation Board in Ravalli County, Montana" do pass.

HARKEN, Chairman.

Report adopted.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and the following action taken:

House Bill No. 305 by Dokken — Recommended for non-concurrence.

House Bill No. 263 by Esp and Scofield — Recommended for non-concurrence.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Harlow that the House reconsider its action of this morning in adopting the Committee of the Whole Report with reference to House Bill No. 56. Carried.

Moved by Harlow that House Bill No. 56 be segregated from the Report of the Committee of the Whole. Carried.

Moved by Harlow that House Bill No. 56 be re-referred to the Committee on Judiciary. Carried.

Moved by Loble that the Report of the Committee of the Whole of this morning with reference to House Bill No. 56 be adopted.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 218 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Working. Total 73.

Noes: None.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Burns, Corcoran, Cotton, Ganson, MacDonald, McKenna, Martin, Mernin, Michels, O'Neil, Sales, Standish, Tierney, Mr. Speaker. Total 17.

House Bill No. 220 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Beck, Blenkner, Clark (Musselshell), Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Gebhardt, Harpster, Hawks, Hess, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Mulroney, Nixon, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Skibby, Standish, Taber, Tripp, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total 44.

Noes: Armstrong, Barnard, Brenner, Clark (Silver Bow), Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Goodgame, Gunderson, Harken, Haytin, Holding, Hoiness, Holtz, Loughran, McCarthy, McElwain, Rostad, Sales, Scofield, Smith, Taylor, Trout, Wilson (Judith Basin). Total 27.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Burns, Corcoran, Cotton, Frerich, Hall, Harlow, Krieg, MacDonald, McKenna, Martin, Mernin, Michels, O'Neil, Page (Granite), Tierney, Mr. Speaker. Total 19.

House Bill No. 106 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Armstrong, Aronow, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 70.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Hill), Ballard, Barnard, Bricker, Burns, Corcoran, Cotton, Cunningham, Foley, Harlow, Krieg, MacDonald, McKenna, Mernin, Michels, O'Neil, Standish, Tierney, Mr. Speaker. Total 20.

House Bill No. 181 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 70.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Bricker, Burns, Corcoran, Cotton, Cunningham, Gunderson, Harlow, Krieg, MacDonald, McKenna, Michels, Nixon, Rostad, Scofield, Standish, Tierney, Mr. Speaker. Total 20.

House Bill No. 209 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Culbert-

son, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Loble, McCarthy, McElwain, Mernin, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 64.

Noes: Koch and Martin. Total 2.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Bricker, Burns, Corcoran, Cotton, Cunningham, Dwyer, Gunderson, Hess, Krieg, Laas, Loughran, MacDonald, McKenna, Michels, Nixon, O'Neil, Page (Missoula), Rostad, Standish, Tierney, Mr. Speaker. Total 24.

House Bill No. 175 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Mulroney, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Taylor, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total 65.

Noes: Jensen, Martin, Page (Granite), Tripp, Wilson (Judith Basin). Total 5.

Absent and not voting: Ballard, Bricker, Burns, Corcoran, Cotton, Cunningham, Gunderson, Hess, Howard, Krieg, MacDonald, McKenna, Michels, Nixon, O'Neil, Smith, Standish, Taber, Tierney, Mr. Speaker. Total 20.

Duncan asked permission to introduce a bill without previous consent.

### INTRODUCTION OF BILLS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 441, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the General Fund for salaries and public employees retirement system of Veterans' Welfare Commission and Board of Education for the fiscal year ending June 30, 1949, the appropriations made by the Thirtieth Legislative Assembly having been found to be insufficient." Referred to Committee on Appropriations.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 265, 294, Substitute House Bill No. 161, House Bill Nos. 272, 166, 419, 292, 165, 388, 355, 359, 264 and 363 have been returned correctly printed.

O'NEIL, Chairman.

### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

the following House Bills were this day read third time and the following action taken:

House Bill No. 328 by Koch—Recommended for non-concurrence.

House Bill No. 90 by Haytin et al—Recommended for non-concurrence.

House Bill No. 108 by Holding et al—Recommended for non-concurrence.

House Bill No. 71 by Anderson of Phillips et al—Recommended indefinitely postponed.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble that the House adjourn until 10:00 A.M. February 17, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTY-SIXTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 17, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson (Hill), Ballard, Barnard, Hess and O'Neil excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Forty-Fifth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following House Bills correctly engrossed: House Bill Nos. 122, 285, Substitute House Bill No. 66, House Bill Nos. 331, 414, 340, 284, 374, 221, 243, Substitute House Bill Nos. 298, House Bill Nos. 318, 342, 383, 296, and considered correctly engrossed Nos. 191, 319, 339 and 226.

VAN DYKE, Chairman.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting, and furthermore that there be no yielding of time. Carried.

Mr. Speaker appointed Bricker to take the Chair.

Committee arose, with permission asked to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 265 do pass.

House Bill No. 182 do pass.

House Bill No. 294, strike the enacting clause.

Substitute House Bill No. 161 do pass.

House Bill No. 302 do pass.

House Bill No. 289, strike the enacting clause.

House Bill No. 281, strike the enacting clause.

BRICKER, Chairman.

Report adopted.

Moved by Trout that House Bill No. 281 be segregated from the report of the Committee of the Whole and that a roll call vote be taken and Journal entry made. There being a sufficient number of seconds, the following roll call vote was taken.

Ayes: Andersen (Richland), Anderson (Hill), Barnard, Beck, Cotton, Culbertson, Cunningham, Emmons, Ewing, Goodgame, Gunderson, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McElwain, Mernin, Michels, Peterson, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Mr. Speaker. Total 36.

Noes: Anderson (Phillips), Armstrong, Aronow, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Dokken, Domke, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Hawks, Hoiness, Howard, Hunter, Krieg, Loughran, Martin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Wiedman, Williams, Wilson (Judith Basin), Working. Total 45.

Absent and not voting: Ballard, Burns, Corcoran, Duncan, Dusak, McKenna, O'Neil, Westlake, Wilson (Treasure). Total 9.

Motion lost.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 346, 242 and 241 have been returned correctly printed.

BECK, Vice-Chairman.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting, and furthermore that there be no yielding of time permitted. Carried.

Mr. Speaker appointed Bricker to take the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 420 do pass.

House Bill No. 435 do pass.



House Bill No. 269, amend Section 1 by striking out in line 7 the word "five" and inserting in lieu thereof the word "ten".

Amend the title by striking out in line 3 the word and figure "five (5%)" and inserting in lieu thereof the word and figure "ten (10%)", and as so amended, recommend that House Bill 269 do pass.

House Bill No. 355 do pass.

House Bill No. 165, amend Section 1 by striking out after the word "opened" in line 15 the rest of Section 1, and as so amended recommend that House Bill 165 do pass.

House Bill No. 388 do pass.

House Bill No. 419 do pass.

House Bill No. 292 do pass.

House Bill No. 272 do pass.

House Bill No. 359, amend Section 1 by inserting in line 4 after the word "organizations", the words: "veterans organizations" and by inserting in line 7 after the word "organizations", the words: "veterans organizations", and by striking out in line 12 the words: "or state" and by inserting in line 13 after the word "body". the words: "The term 'veterans organization' as used herein, shall mean and include only such organizations, incorporated or unincorporated, as have a national parent body, and whose membership is restricted to veterans of wars in which the United States has been involved, and which are not operated for pecuniary profit."

Amend the title in line 4 thereof by inserting after the words "charitable organizations;" the words "veterans organizations," and as so amended, recommend that House Bill 359 do pass.

House Bill No. 363 do pass.

BRICKER, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 16, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, Resolutions and Memorials were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 107 by Holding et al.

House Bill No. 186 by Dokken.

House Bill No. 233 by Appropriations Committee.

House Bill No. 235 by Appropriations Committee.

House Bill No. 43 by Jarussi and Cunningham.

House Bill No. 61 by Aronow.

House Bill No. 58 by Committee on Livestock and Public Ranges.

House Bill No. 172 by Hoiness and Peters.

House Bill No. 259 by Appropriations Committee.

House Bill No. 301 by Appropriations Committee.

House Bill No. 300 by Appropriations Committee.

House Bill No. 299 by Appropriations Committee.

House Joint Memorial No. 4 by Domke et al.

House Joint Resolution No. 2 by Peterson et al.

House Joint Resolution No. 3 by Peters et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Loble that the House now release from custody and from charges of contempt of House of Representatives, the witness W. C. Mitchell. Carried.

Moved by Loble that the House recess until 1:30 P. M.

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 31.

VAN DYKE, Chairman.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 be amended as follows:

Amend Section 1 by striking out in line 19 the words and figures "Twenty Thousand Dollars \$20,000.00", and inserting in lieu thereof the words and figures "Five Thousand Dollars \$5,000.00";

And as so amended, House Bill No. 231 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 be amended as follows:

Amend Section 1 by striking out in line 20 the words and figures "Twenty Thousand Dollars (\$20,000.00)", and inserting in lieu thereof the words and figures "Ten Thousand Dollars (\$10,000.00)";

And as so amended, House Bill No. 397 do pass.

DUNCAN, Chairman.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

February 16, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as

amended, title and history agreed to, and the same are herewith returned to the House for concurrence in the Senate Amendments:

House Bill No. 104 by Wiedman.

House Bill No. 60 by Committee on Livestock and Public Ranges.

House Bill No. 171 by Harlow.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 17, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and the following actions taken:

Substitute Senate Bill No. 82 by Taxation Committee—passed as amended.

Senate Bill No. 112 by Anderson and James—passed as amended.

Substitute Senate Bill No. 96 by Roads and Highways Committee—passed as amended.

Senate Bill No. 99 by Lehrkind et al—passed as amended.

Senate Bill No. 106 by Toman et al—passed as amended.

Senate Bill No. 63 by Wilson of Toole and Aronson.—passed.

Senate Bill No. 120 by Liggett and Walsh—passed as amended.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Mernin that the House reconsider its action of yesterday by the Committee on Revenue and Taxation in adopting an adverse report on House Bill No. 145. A demand for a roll call vote is asked and an entry in the Journal. A sufficient number of seconds, the following vote was taken.

Ayes: Andersen (Richland), Anderson (Hill), Barnard, Beck, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dusak, Emmons, Goodgame, Gunderson, Harlow, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, MacDonald, Mernin, Michels, Peterson, Robertson, Smith, Tripp, Trout, Wilson (Judith Basin), Mr. Speaker. Total 31.

Noes: Anderson (Phillips), Armstrong, Aronow, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Domke, Duncan, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Krieg, Loble, Loughran, McCarthy, McElwain, Martin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Van Dyke, Wiedman, Williams, Wilson (Treasure). Total 53.

Absent and not voting: Ballard, Burns, McKenna, Tierney, Westlake, Working. Total 6.

Motion lost.

Moved by Mernin that House reconsider its action of yesterday in adopting an adverse committee report by the Revenue and Taxation Committee in reference to House Bill No. 148. A demand for a roll call vote and Journal entry and there being a sufficient number of seconds, the following vote was taken.

Ayes: Anderson (Hill), Barnard, Beck, Clark (Musselshell), Cotton, Culbertson, Dusak, Emmons, Goodgame, Gunderson, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Laas, Michels, Peterson, Smith, Tripp, Trout, Wilson (Judith Basin), Mr. Speaker. Total 24.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Brenner, Bricker, Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duncan, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Van Dyke, Wiedman, Williams, Wilson (Treasure). Total 59.

Absent and not voting: Ballard, Blenkner, Burns, McKenna, Tierney, Westlake, Working. Total 7.

Motion lost.

#### MOTIONS AND RESOLUTIONS

Loble moved to ask unanimous consent to suspend Section 2 of Rule 38 of the Rules of the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana as concerns the following House Bills:

House Bill No. 346.

House Bill No. 241.

House Bill No. 242.

and that the foregoing bills be placed on General Orders for consideration by the Committee of the Whole.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 15, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate measures were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Joint Memorial No. 5 by Parriott et al.

Senate Bill No. 135 by Haynes.

Senate Bill No. 107 by Compensation Committee.

Senate Bill No. 111 by Worden.

Senate Bill No. 84 by Railroads and Transportation.

Senate Bill No. 127 by James and Anderson.

Senate Bill No. 92 by Kelly and Aronson.

Senate Bill No. 126 by Ross.

Senate Bill No. 115 by James and Anderson.

Senate Bill No. 30 by Wallander et al — as amended.

Senate Bill No. 31 by Wallander et al — as amended.

Senate Bill No. 70 by Ross et al — as amended.

Senate Bill No. 95 by Kelly et al — as amended.

Senate Bill No. 100 by Wenger — as amended.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and furthermore that there be no yielding of time. Carried.

Mr. Speaker appointed Foley to take the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 166 do pass.

House Bill No. 264 do pass.

House Bill No. 346 do pass.

House Bill No. 242 be amended by striking out all of lines 1 to 10 inclusive, and as so amended, recommend that House Bill No. 242 do pass.

House Bill No. 241 do pass.

Senate Amendments to House Bill No. 102 be concurred in.

Senate Amendments to House Bill No. 132 be concurred in.

Senate Amendments to House Bill No. 74 be concurred in.

FOLEY, Chairman.

Report adopted.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Moved by Loble that House Bill No. 221 be put at the top of the list of bills on Third Reading, it being a Constitutional Amendment we should like everyone here now, present. Carried.

House Bill No. 221 was killed by the following vote:

Ayes: Anderson (Hill), Barnard, Culbertson, Duncan, Esp, Ganson, Goodgame, Harlow, Hawks, Holding, Hess, Howard, Jarussi, Jensen, Krieg, Laas, McElwain, McKenna, Michels, Mulrone, Page (Missoula), Peters,



Phillips, Pierce, Robertson, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout. Total 33.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Ewing, Foley, Frerich, Gebhardt, Gunderson, Hall, Harken, Harpster, Haytin, Hoiness, Holtz, Hunter, Karlberg, Koch, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Oliver, O'Neil, Page (Granite), Peterson, Rostad, Sales, Tierney, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 50.

Absent and not voting: Ballard, Brenner, Burns, Emmons, Nixon, Westlake and Working. Total 7.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 225 and House Bill Nos. 302 and 182 considered engrossed.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill Nos. 130, 134, 158 and 185.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 130.

I have examined House Bill No. 130 introduced by me and find the same to be correct.

DUNCAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 134.

I have examined House Bill No. 134 introduced by me and find the same to be correct.

DUNCAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 158.

I have examined House Bill No. 158 introduced by me and find the same to be correct.

EWING, Vice-Chairman.

House please take notice that the Speaker is about to sign House Bill No. 185.

I have examined House Bill No. 185 introduced by me and find the same to be correct.

KOCH.

Moved by Page (Missoula) that House Bill No. 221 on Third Reading be passed for the day. Motion lost.

House Bill No. 122 was killed by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Culbertson, Duppler, Dusak, Emmons, Frerich, Goodgame, Gunderson, Harlow, Harpster, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, McCarthy, McKenna, Mernin, Michels, O'Neil, Peterson, Smith, Taylor, Tripp, Trout, Van Dyke, Williams, Wilson (Judith Basin), Mr. Speaker. Total 38.

Noes: Armstrong, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Dwyer, Esp,

Ewing, Foley, Ganson, Gebhardt, Hall, Harken, Hawks, Haytin, Howard, Hunter, Loughran, McElwain, Martin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Wiedman, Wilson (Treasure). Total 41.

Absent and not voting: Aronow, Ballard, Burns, Cotton, Duncan, Holding, MacDonald, Nixon, Tierney, Westlake, Working. Total 11.

House Bill No. 285 was passed by the House and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Gunderson, Harpster, Holding, Laas, MacDonald, Mernin, Nixon, Pierce, Westlake, Wiedman, Working. Total 15.

Substitute House Bill No. 66 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Armstrong, Aronow, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Ganson, Gebhardt, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Trout, Wiedman, Williams, Wilson (Treasure). Total 53.

Noes: Anderson (Phillips), Anderson (Hill), Beck, Clark (Musselshell), Cotton, Culbertson, Cunningham, Duncan, Dusak, Emmons, Goodgame, Gunderson, Harken, Harlow, Hess, Holtz, Jarussi, Jensen, Karlberg, MacDonald, Mernin, Peterson, Smith, Tripp, Wilson (Judith Basin) and Mr. Speaker. Total 26.

Absent and not voting: Ballard, Barnard, Burns, Dokken, Frerich, Hall, Holding, Laas, Van Dyke, Westlake and Working. Total 11.

House Bill No. 331 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 75.

Noes: Jensen. Total 1.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Frerich, Hoiness, Laas, MacDonald, Michels, Pierce, Sales, Taylor, Westlake, Working. Total 14.

House Bill No. 414 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Beck, Bricker, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Esp, Foley, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Musselshell), Peterson, Pierce, Robertson, Rostad, Scofield, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Williams, Mr. Speaker, Ewing. Total 58.

Noes: Anderson (Phillips), Blenkner, Brenner, Ganson, Hawks, Koch, McElwain, Peters, Phillips, Skibby, Standish, Wilson (Treasure), Wilson (Judith Basin). Total 13.

Absent and not voting: Ballard, Barnard, Burns, Corcoran, Cotton, Domke, Duncan, Dwyer, Frerich, Holding, Hoiness, Krieg, MacDonald, Martin, Sales, Taylor, Westlake, Wiedman, Working. Total 19.

House Bill No. 340 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Mr. Speaker. Total 62.

Noes: Brenner, Esp, Jensen, McCarthy, Mernin, Page (Missoula), Peters, Scofield, Skibby, Taber, Wilson (Judith Basin), Working. Total 12.

Absent and not voting: Anderson (Phillips), Ballard, Barnard, Burns, Cotton, Duncan, Dwyer, Holding, Hoiness, Krieg, MacDonald, Martin, Sales, Taylor, Westlake, Wiedman. Total 16.

House Bill No. 284 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Frerich, Harken, Harpster, Haytin, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Trout, Westlake, Williams, Working, Brenner and Mr. Speaker. Total 52.

Noes: Anderson (Phillips), Anderson (Hill), Barnard, Corcoran, Ewing, Foley, Ganson, Goodgame, Gunderson, Hall, Harlow, Hawks, Holding, Hess, Hoiness, Holtz, Howard, McCarthy, Mernin, O'Neil, Page (Granite), Peterson, Sales, Tierney, Tripp, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin). Total 29.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Gebhardt, Krieg, Loughran, MacDonald, Taylor. Total 9.

House Bill No. 374 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McKenna, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 74.

Noes: Ewing and Martin. Total 2.

Absent and not voting: Ballard, Burns, Cotton, Culbertson, Duncan, Esp, Harpster, Jarussi, Krieg, MacDonald, McElwain, Mulroney, Peterson, Wiedman. Total 14.

House Bill No. 243 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 77.

Noes: Harlow. Total 1.

Absent and not voting: Ballard, Burns, Cotton, Domke, Duncan, Hoiness, MacDonald, McElwain, Mulroney, Peterson, Sales, Van Dyke. Total 12.

Substitute House Bill No. 298 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 75.

Noes: Taylor. Total 1.

Absent and not voting: Ballard, Barnard, Beck, Burns, Cotton, Domke,



Duncan, Duppler, Ganson, Hoiness, MacDonald, McElwain, Mulroney, Standish. Total 14.

House Bill No. 318 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Tolta 79.

Noes: Martin and Phillips. Total 2.

Absent and not voting: Ballard, Burns, Clark (Silver Bow), Duncan, Frerich, Koch, MacDonald, McKenna, Taylor. Total 9.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 265, 355, 269, 347, 388, 419, 435, and considered 292 and 241.

VAN DYKE, Chairman.

House Bill No. 342 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, McCarthy, McElwain, Martin, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working, Mr. Speaker. Total 74.

Noes: Wilson (Judith Basin). Total 1.

Absent and not voting: Ballard, Burns, Clark (Silver Bow), Duncan, Harlow, Hunter, Koch, Loughran, MacDonald, McKenna, Mulroney, Pierce, Taber, Taylor, Tripp. Total 15.

House Bill No. 383 was passed by the following vote and transmitted to the Senate for concurrence:

Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 77.



Noes: None.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Gunderson, Harpster, Hoiness, Hunter, MacDonald, McKenna, Michels, Pierce, Taylor. Total 13.

House Bill No. 296 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, Mernin, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 70.

Noes: Goodgame, Koch, McElwain, Martin, Mulroneý. Total 5.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Ewing, Ganson, Harlow, MacDonald, McKenna, Michels, Phillips, Pierce, Scofield, Taylor, Mr. Speaker. Total 15.

Substitute House Bill No. 191 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroneý, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 75.

Noes: None.

Absent and not voting: Armstrong, Ballard, Bricker, Burns, Cotton, Culbertson, Duncan, Harlow, Haytin, MacDonald, McKenna, Phillips, Pierce, Taylor, Mr. Speaker. Total 15.

House Bill No. 265 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroneý, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working. Total 72.

Noes: Barnard. Total 1.

Absent and not voting: Armstrong, Ballard, Burns, Cotton, Dokken, Duncan, Gunderson, Harlow, Krieg, MacDonald, McKenna, Phillips, Pierce, Taylor, Tierney, Williams, Mr. Speaker. Total 17.

House Bill No. 319 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Silver Bow), Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Peters, Peterson, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total 67.

Noes: Andersen (Richland), Clark (Musselshell), Corcoran, Goodgame, Holding, Oliver, Page (Missoula), Rostad, Taber, Wilson (Judith Basin). Total 10.

Absent and not voting: Armstrong, Ballard, Burns, Cotton, Dokken, Duncan, Harlow, MacDonald, McKenna, Martin, Phillips, Pierce, Mr. Speaker. Total 13.

House Bill No. 339 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 74.

Noes: None.

Absent and not voting: Armstrong, Ballard, Burns, Cotton, Cunningham, Domke, Duncan, Emmons, Gunderson, Harlow, Hunter, Jarussi, MacDonald, McKenna, Pierce, Mr. Speaker. Total 16.

Substitute House Bill No. 226 was killed by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Culbertson, Cunningham, Dokken, Duppler, Ewing, Frerich, Gebhardt, Hall, Harken, Harpster, Hawks, Howard, Krieg, Loble, McElwain, Michels, Nixon, Oliver, O'Neil, Peters, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Westlake, Wilson (Treasure), Wilson (Judith Basin). Total 39.

Noes: Armstrong, Aronow, Barnard, Clark (Silver Bow), Dusak, Dwyer, Emmons, Foley, Ganson, Goodgame, Gunderson, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Laas, Loughran, McCarthy, Martin, Mernin, Mulroney, Page (Granite), Page (Missoula), Peterson, Phillips, Smith, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Working. Total 38.

Absent and not voting: Ballard, Burns, Corcoran, Cotton, Domke, Duncan, Esp, Harlow, Jarussi, MacDonald, McKenna, Pierce, Mr. Speaker. Total 13.

House Bill No. 31 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Culbertson, Dokken, Domke, Duppler, Dusak, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working. Total 70.

Noes: Brenner, Clark (Silver Bow), Corcoran, Dwyer, Emmons, Foley, Loughran, Smith, Tierney, Van Dyke, Williams. Total 11.

Absent and not voting: Ballard, Burns, Cotton, Cunningham, Duncan, MacDonald, McKenna, Pierce, Mr. Speaker. Total 9.

House Bill No. 225 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 75.

Noes: Frerich, Hall, Martin. Total 3.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Gebhardt, Hunter, Karlberg, MacDonald, McKenna, Nixon, Page (Missoula), Mr. Speaker. Total 12.

House Bill No. 302 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, O'Neil, Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 70.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Brenner, Burns, Cotton, Duncan, Esp, Ewing, Harken, Harlow, Hunter, Jarussi, MacDonald, McKenna, Oliver, Page (Granite), Page (Missoula), Standish, Tripp. Total 20.

House Bill No. 182 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Hall, Harken, Hawks, Haytin, Hoiness, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 62.

Noes: Beck, Dusak, Emmons, Ewing, Goodgame, Gunderson, Harpster, Holding, Hess, Holtz, Jensen, McCarthy, Mernin, Peterson, Smith, Tierney, Mr. Speaker. Total 17.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Burns, Cotton, Duncan, Harlow, Jarussi, MacDonald, McKenna, Page (Missoula). Total 11.

House Bill No. 355 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Holding, Hess, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Ballard, Burns, Cotton, Dokken, Duncan, Harlow, Haytin, Hoiness, Jarussi, MacDonald, McKenna, O'Neil, Page (Missoula), Rostad, Van Dyke, Westlake. Total 16.

House Bill No. 269 was killed by the following vote:

Ayes: Anderson (Hill), Armstrong, Aronow, Barnard, Blenkner, Bricker, Clark (Musselshell), Duppler, Dusak, Emmons, Foley, Goodgame, Harken, Holding, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, McElwain, Mernin, Mulroney, Nixon, Oliver, O'Neil, Robertson, Smith, Tripp, Wilson (Judith Basin). Total 30.

Noes: Andersen (Richland), Anderson (Phillips), Beck, Brenner, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Dwyer, Esp, Ewing, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harpster, Hawks, Haytin, Hess, Hunter, Krieg, Laas, Loble, McCarthy, Martin, Michels, Page (Granite), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Williams, Wilson (Treasure), Working, Mr. Speaker. Total 47.

Absent and not voting: Ballard, Burns, Cotton, Duncan, Harlow, Jarussi, Loughran, MacDonald, McKenna, Page (Missoula), Peterson, Westlake, Wiedman. Total 13.

House Bill No. 347 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Duppler, Dwyer,



Esp, Ewing, Foley, Frerich, Gebhardt, Hall, Harken, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Jensen, Laas, Loughran, McCarthy, McElwain, Martin, Nixon, Oliver, Page (Granite), Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working. Total 50.

Noes: Anderson (Hill), Aronow, Beck, Culbertson, Cunningham, Domke, Dusak, Emmons, Ganson, Goodgame, Gunderson, Harlow, Holding, Hess, Holtz, Jarussi, Karlberg, Koch, Krieg, Loble, Mernin, Michels, Mulroney, Page (Missoula), Peters, Peterson, Smith, Tripp, Trout, Wilson (Judith Basin), Mr. Speaker. Total 31.

Absent and not voting: Ballard, Barnard, Burns, Clark (Musselshell), Cotton, Duncan, MacDonald, McKenna, O'Neil. Total 9.

House Bill No. 388 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Beck, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Aronow, Ballard, Barnard, Blenkner, Burns, Cotton, Dokken, Duncan, Harlow, Hoiness, Koch, MacDonald, McElwain, Mulroney, O'Neil, Wiedman. Total 16.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill Nos. 297, 81, 36, 349, 295, Substitute House Bill No. 286, House Bill Nos. 121 and 109 have been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bill Nos. 130, 134, 158 and 185 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:55 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Moved by Loble that the House adjourn until 9:30 A. M. Friday, February 18, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

#### FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 18, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.



On roll call, all members were present except Anderson (Hill), Ballard and Burns, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Forty-sixth Legislative Day and find same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 272 and 420.

VAN DYKE, Chairman.

### CONSIDERATION OF MESSAGES FROM THE SENATE

February 17, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the following committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 218 by Blenkner — by Committee on Judiciary.

House Bill No. 310 by Dokken — by Committee on Judiciary.

House Bill No. 394 by Tripp et al — Committee on Compensation.

House Bill No. 238 by Phillips and Dwyer — Committee on Counties and Towns.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 17, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee of the Whole this day recommended that further consideration of House Bill No. 271 be indefinitely postponed; report adopted, and the said bill is herewith returned to the House:

House Bill No. 271 by Scofield and Esp.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 17, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, as amended, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 64 by Ebert and Cremer.

Senate Bill No. 78 by Angstman et al.

Senate Bill No. 131 by Bovey.

Senate Bill No. 130 by Bovey.

Senate Bill No. 87 by Haight et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Culbertson that House Bill No. 36 on General Orders be considered ahead of House Bill No. 349 on General Orders. Carried.

Moved by Loble for unanimous consent to Suspend section 2 of Rule 38 on all bills to be considered today. Carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting, and furthermore that the time limit be strictly enforced. Carried.

Mr. Speaker appointed Koch of Ravalli to take the Chair.

Committee arose with request for permission to sit again.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend

House Bill No. 297 do pass.

House Bill No. 295 do pass.

Substitute House Bill No. 286 do not pass.

KOCH, Chairman.

Moved by Hoiness that Substitute House Bill No. 286 be segregated from the report of the Committee of the Whole and that a roll call vote be taken. There being a sufficient number of seconds, the following vote was taken:

Ayes: Anderson (Hill), Barnard, Bricker, Cotton, Dokken, Dusak, Esp, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hoiness, Holtz, Howard, Koch, Jensen, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Michels, O'Neil, Peters, Peterson, Phillips, Pierce, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Westlake. Total 42.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Beck, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Duppler, Dwyer, Emmons, Ewing, Hawks, Haytin, Holding, Hess, Hunter, Jarussi, Karlberg, McElwain, Martin, Mernin, Mulroney, Oliver, Page (Granite), Robertson, Rostad, Smith, Tierney, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin). Total 37.

Absent and not voting: Aronow, Ballard, Blenkner, Burns, Domke, Foley, Frerich, Harlow, Nixon, Page (Missoula) and Working. Total 11.

Motion carried. Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 89, 362, 38, 59, 439, 201 and Substitute House Bill No. 357 have been returned correctly printed.

O'NEIL, Chairman.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House again resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and that the time limit be strictly enforced. Carried.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 121 do pass.

House Bill No. 36 do pass.

House Bill No. 349 be amended in Section 6 by striking out in the second line after the word "the" the following words, "First day of July 1950" and inserting in lieu thereof the words, "28th Day of February 1952."

Amend the title by striking out in the last line after the word "the" the following words, "First day of July 1950" and inserting in lieu thereof the words, "28th day of February 1952" and as so amended, recommend that House Bill No. 349 do pass.

House Bill No. 81, strike the enacting clause.

House Bill No. 109 do pass.

House Bill No. 89 do pass.

House Bill No. 362 do pass.

House Bill No. 38 do pass.

House Bill No. 59 do pass.

House Bill No. 439 do pass.

House Bill No. 201 do pass.

Substitute House Bill No. 357 do pass.

Substitute House Bill No. 286, strike the enacting clause.

House Bill No. 308 do pass.

KOCH, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 396, 304, Substitute House Bill 402, have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House recess until 1:00 o'clock P. M.

House resumed.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 440, 397, 231 and House Memorial No. 4 have been returned correctly printed.

O'NEIL, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Substitute House Bill No. 337, respectfully report as follows: That Substitute House Bill No. 337 be amended as follows:

Amend the title by striking out in lines 19 and 20 the words "providing an appropriation for the administration of this act"; and further amend the bill by striking out the entire Section 8 on page 6, and change Section numbers 9, 10 and 11, to Sections 8, 9 and 10 respectively;

And as so amended, Substitute House Bill No. 337 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows:

The printed bill be amended in Section 2, line 9, by striking out the following: after the word "interest", "not to exceed three per cent (3%) per month on the unpaid principal balance." and insert in lieu thereof the following:

"On loans of \$50.00 and under four per cent (4%) per month on the unpaid principal balance; on loans over \$50.00, and not to exceed \$150.00, two per cent (2%) per month on the unpaid principal balance; on loans over \$150.00, and not to exceed \$300.00, one per cent (1%) per month on the unpaid principal balance, and provided, however, that if a loan is not re-paid within eighteen (18) months, after the loan is made, the interest rate on said unpaid principal balance shall thereafter not exceed six per cent (6%) per annum. All loans to any one individual, from any one lender, shall be consolidated into one loan and the interest rate applicable to the amount of said consolidated loan or the total amount of all loans, to said individual, shall be charged."

Amend further in Section 3 of the printed bill by striking out in lines 2, 3, 4 and 5 the following: "Upon making the application for such license, the applicant shall pay to the Superintendent of Banks a fee of Twenty-five Dollars (\$25.00) for the issuance of the license, and there shall thereafter be paid an annual renewal fee of Ten Dollars (\$10.00)", and insert in lieu thereof the following:

"The act shall be administered by the State Auditor. Application for a license shall be in writing, under oath, and in the form prescribed by the State Auditor. At the time of making such application, the applicant shall pay to the State Auditor the sum of Twenty-five Dollars (\$25.00) as a fee for investigating the application and the sum of Fifty Dollars (\$50.00) as an annual fee for each office maintained in the State of Montana for the period ending on the last day of the current fiscal year."

Amend further in Section 6 of the printed bill by striking all of Section 6, and inserting in lieu thereof the following:

"Section 6. The State Auditor shall examine the books and accounts of each licensee hereunder at least once each year to determine whether the licensee is complying with the provisions of this act."

Amend further in Section 8 of the printed bill by striking, in line 3, the words and figures "three per cent (3%)" and insert in lieu thereof the words: "interest rates authorized in this act"

Amend further by striking all of Section 11, of the printed bill, and insert in lieu thereof the following:

"Section 11. Any person who has paid a greater amount of interest than is authorized by this act, his heirs, assigns, executor or administrator, may recover from the person, co-partnership, association, or corporation

taking, charging, or receiving the same, a sum equal to the interest collected, plus the principal of the loan, plus costs of suits and an attorney's fee to be fixed by the court, plus exemplary damages not to exceed Five Hundred Dollars (\$500.00), provided that before any suit may be brought to recover such sum, the party bringing the suit must make a three-day written demand upon the lender for the return of the said interest and the principal which has been paid.

If any amount in excess of the interest permitted by this act is charged, contracted for, or received, the contract of loan shall be void and the lender shall have no right to collect, receive, or retain any principal or interest."

And, as amended, recommend that the bill do pass.

HARKEN, Chairman.

Substitute motion by Hoiness that the report of the Committee on Judiciary be not accepted. Carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills considered correctly engrossed: 89, 59, 439, 38, 308 and Substitute House Bill 357, and the following engrossed: 161, 295, 359, 36 and 297.

VAN DYKE, Chairman.

Moved by Hunter that the House reconsider its action of yesterday with reference to House Bill No. 226 on Third Reading. Carried.

Moved by Peterson that House Bill No. 337 be considered correctly printed and placed on General Orders. Carried.

Speaker referred foregoing motion to the Committee on Rules.

Moved by Mernin that House Bill No. 226 be taken from Third Reading and be re-referred to General Orders. Motion lost.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and that the time limit be strictly enforced.

Speaker asked Hawks of Big Horn to take the Chair.

Committee arose. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend

House Bill No. 396 do pass.

House Bill No. 304 do pass.

Substitute House Bill No. 402 do pass.

House Bill No. 440, amend Section 2 by adding a new paragraph following the words "separate offense", in line 22, page 2 of House Bill 440, reading as follows:

"Such distributor or jobber may, upon furnishing a surety bond to be approved by the State Board of Equalization, in the amount of Ten Thousand Dollars (\$10,000), purchase such trade stimulator use tax stamps from the said State Board of Equalization and pay for the same on or prior to the tenth day of the month following the expiration of sixty (60) to ninety (90) days from the date of purchase."

Amend Section 2 by adding in line 17, page 2, next following the word "facsimile" the following: "No distributor or jobber shall sell or dispose



of any such use tax stamps unless affixed to such trade stimulators as above provided."

Amend Section 3 by adding in line 23, page 3, next following the words "per annum" the following: "Such applicant shall have been a bona fide resident of the State of Montana for a period of not less than two (2) years immediately preceding the application for such license."

Amend the title of House Bill 440 by deleting the word "Section" in line 2, and inserting in lieu thereof the words "Chapter" and as so amended, recommend that House Bill No. 440 do pass.

House Bill No. 397 do pass.

House Bill No. 231 do pass.

HAWKS, Chairman.

Report adopted.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the motion of the gentleman from Pondera, Mr. Peterson, to consider Substitute House Bill No. 337 correctly printed and placed on General Orders respectfully report as follows: That said motion do not carry.

LOBLE, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Jarussi that further consideration of House Bill No. 115 be indefinitely postponed. Carried.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 419 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 69.

Noes: Brenner, Corcoran, Phillips, Pierce and Rostad. Total 5.

Absent and not voting: Ballard, Bricker, Burns, Duncan, Ewing, Krieg, MacDonald, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, O'Neil, Sales and Wiedman. Total 16.

House Bill No. 435 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Hill), Aronow, Barnard, Beck, Bricker, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer,

Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Hawks, Holding, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McElwain, Mernin, Nixon, O'Neil, Peters, Pierce, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Working and Mr. Speaker. Total 51.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Blenkner, Brenner, Clark (Silver Bow), Dokken, Esp, Goodgame, Harpster, Haytin, Howard, Hunter, Martin, Oliver, Page (Granite), Page (Missoula), Peterson, Phillips, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Wiedman, Wilson (Treasure), and Wilson (Judith Basin). Total 30.

Absent and not voting: Ballard, Burns, Duncan, Krieg, Laas, MacDonald, McKenna, Michels, Mulroney. Total 9.

House Bill No. 292 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Bricker, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Ewing, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McElwain, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Skibby, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin) and Mr. Speaker. Total 60.

Noes: Blenkner, Brenner, Clark (Silver Bow), Esp, Frerich, Gebhardt, Hall, Hawks, Martin, Pierce, Rostad, Sales, Scofield, Taber, Taylor, Wiedman, Wilson (Treasure) and Working. Total 18.

Absent and not voting: Anderson (Phillips), Armstrong, Ballard, Burns, Duncan, Dwyer, Foley, Krieg, Laas, MacDonald, McKenna, Michels. Total 12.

House Bill No. 241 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, Martin, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker. Total 68.

Noes: Ewing, Frerich, Hoiness, Phillips, Skibby, Taylor and Wilson (Judith Basin). Total 7.

Absent and not voting: Aronow, Ballard, Burns, Duncan, Dwyer, Esp, Hunter, Krieg, Loughran, MacDonald, McKenna, Mernin, Michels, Nixon, and Tripp. Total 15.

House Bill No. 272 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt,

Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, Loble, McCarthy, McElwain, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: Koch. Total 1.

Absent and not voting: Armstrong, Aronow, Ballard, Burns, Dwyer, Loughran, Domke, Duncan, Krieg, MacDonald, McKenna, Nixon, Standish, Martin and Mernin. Total 16.

House Bill No. 420 being a constitutional amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

### HOUSE BILL NO. 420

Introduced by Harlow by Request

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 6, Article XIII of the Constitution of the State of Montana, relating to the limitations of indebtedness of liability of school districts, cities, towns, or townships."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 6, of Article XIII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the state at the General Election to be held in November, 1950.

Section 2. That Section 6, of Article XIII of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 6. No city, town, township or school district shall be allowed to become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding six per centum (6%) of the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness, and all bonds or obligations in excess of such amount given by or on behalf of such city, town, township or school district shall be void; provided, however, that the Legislative Assembly may extend the limit mentioned in this Section, by authorizing municipal corporations to submit the question to a vote of the taxpayers affected thereby, when such increase is necessary to construct a sewerage system or to procure a supply of water for such municipality which shall own and control said water supply and devote the revenues derived therefrom to the payment of the debt."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided for by Chapter 67, Revised Codes of Montana, 1935, as amended by Chapter 81, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana, 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

The vote on said House Bill No. 420 was as follows:

Ayes: Andersen (Richland), Anderson (Hill), Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Dusak, Dwyer, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Scofield, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 66.

Noes: Anderson (Phillips), Brenner, Duppler, Ewing, Hall, Hawks, Phillips, Rostad, Sales and Skibby. Total 10.

Absent and not voting: Armstrong, Aronow, Ballard, Burns, Corcoran, Cunningham, Domke, Duncan, Esp, Krieg, MacDonald, McKenna, Nixon and Tierney. Total 14.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 166, 242, 363 and 165; and 346 and 264 considered engrossed.

VAN DYKE, Chairman.

House Bill No. 166 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 72.

Noes: Rostad, Sales and Williams. Total 3.

Absent and not voting: Armstrong, Aronow, Ballard, Burns, Corcoran, Culbertson, Cunningham, Duncan, Harlow, Hunter, Krieg, MacDonald, McKenna, Nixon, and Tierney. Total 15.

House Bill No. 242 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Armstrong, Ballard, Burns, Duncan, Emmons, Esp, Harpster, Krieg, MacDonald, McKenna, Nixon, O'Neil, Page (Granite), and Standish. Total 14.



House Bill No. 363 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Krieg, Laas, Loughran, McCarthy, Martin, Mernin, Michels, O'Neil, Page (Missoula), Peterson, Pierce, Robertson, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 62.

Noes: Ewing, Goodgame, Hall, Holding, Howard, Karlberg, Koch, Loble, McElwain, Mulroney, Oliver, Peters, Phillips, Rostad, Sales, Scofield, Skibby and Wiedman. Total 18.

Absent and not voting: Ballard, Brenner, Burns, Duncan, Esp, Frerich, MacDonald, McKenna, Nixon, Page (Granite). Total 10.

House Bill No. 165 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Domke, Duncan, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Harpster, Hawks, Haytin, Hess, Koch, Krieg, Loble, Loughran, Michels, Oliver, Page (Missoula), Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Taber, Taylor, Westlake, Wilson (Judith Basin), Working and Mr. Speaker. Total 43.

Noes: Anderson (Phillips), Aronow, Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Ewing, Goodgame, Gunderson, Hall, Harken, Harlow, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Laas, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, O'Neil, Peters, Peterson, Sales, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams and Wilson (Treasure). Total 42.

Absent and not voting: Ballard, Burns, McKenna, Nixon and Page (Granite). Total 5.

House Bill No. 346 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Jensen, Karlberg, Laas, Loble, Loughran, McCarthy, Martin, Mernin, Michels, O'Neil, Peterson, Phillips, Robertson, Skibby, Smith, Standish, Taber, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin) and Mr. Speaker. Total 59.

Noes: Armstrong, Bricker, Haytin, Hoiness, Howard, Koch, Krieg, McElwain, Mulroney, Oliver, Page (Missoula), Peters, Pierce, Rostad, Sales, Scofield, Taylor, Wiedman, Wilson (Treasure) and Working. Total 20.

Absent and not voting: Ballard, Barnard, Burns, Hunter, Jarussi, MacDonald, McKenna, Nixon, Page (Granite), Tierney and Tripp. Total 11.

House Bill No. 264 was passed by the following vote and transmitted to the Senate for concurrence:



Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Domke, Duppler, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harpster, Hawks, Haytin, Hoiness, Howard, Hunter, Jarussi, Jensen, Krieg, Loble, Loughran, McCarthy, Michels, Oliver, Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 49.

Noes: Beck, Cotton, Culbertson, Dusak, Emmons, Ewing, Gunderson, Hall, Harken, Harlow, Holding, Hess, Holtz, Karlberg, Laas, MacDonald, Martin, Mernin, Peterson, Smith, Tripp, Trout, Van Dyke and Williams. Total 24.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Barnard, Burns, Cunningham, Dokken, Duncan, Dwyer, Koch, McElwain, McKenna, Mulroney, Nixon, O'Neil, Page (Granite), Phillips. Total 17.

House Bill No. 89 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Ballard, Burns, Dokken, Duncan, MacDonald, McKenna, Nixon, Oliver, Scofield, Smith and Tierney. Total 11.

House Bill No. 59 was passed by the following vote and transmitted to the Senate for concurrence:

Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Ballard, Bricker, Burns, Dokken, Domke, Duncan, Hoiness, Howard, Hunter, MacDonald, McKenna, Nixon, Page (Missoula) and Smith. Total 14.

House Bill No. 439 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow,

Barnard, Blenkner, Brenner, Bricker, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, McCarthy, McElwain, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 70.

Noes: Page (Granite). Total 1.

Absent and not voting: Anderson (Hill), Ballard, Beck, Burns, Clark (Silver Bow), Duncan, Ewing, Harpster, Haytin, Hoiness, Loughran, MacDonald, McKenna, Martin, Nixon, Rostad, Smith, Taylor and Van Dyke. Total 19.

House Bill No. 38 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mulroney, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: Page (Granite). Total 1.

Absent and not voting: Ballard, Burns, Duncan, MacDonald, McKenna, Martin, Mernin, Michels, Taylor and Van Dyke. Total 11.

House Bill No. 308 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Michels, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Working and Mr. Speaker. Total 66.

Noes: Peterson, Tripp and Wilson (Judith Basin). Total 3.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Brenner, Burns, Culbertson, Duncan, Esp, Gunderson, Harpster, Holtz, Jarussi, McKenna, Martin, Mernin, Mulroney, Nixon, O'Neil, Rostad, Standish and Taber. Total 21.

House Bill No. 357 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak,

Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: Page (Granite) and Skibby. Total 2.

Absent and not voting: Anderson (Hill), Ballard, Brenner, Burns, Duncan, Esp, Hess, Hunter, Nixon and Phillips. Total 10.

House Bill No. 161 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 77.

Noes: Brenner. Total 1.

Absent and not voting: Ballard, Barnard, Burns, Corcoran, Duncan, Ewing, Hess, Nixon, Phillips, Rostad, Sales and Williams. Total 12.

House Bill No. 295 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Dusak, Emmons, Goodgame, Gunderson, Harken, Harlow, Harpster, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Laas, Loble, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peterson, Robertson, Smith, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Judith Basin) and Mr. Speaker. Total 45.

Noes: Anderson (Phillips), Brenner, Bricker, Clark (Silver Bow), Corcoran, Dokken, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Hall, Hawks, Howard, Koch, Krieg, Loughran, Martin, Oliver, Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Wiedman, Wilson (Treasure) and Working. Total 34.

Absent and not voting: Armstrong, Ballard, Burns, Duncan, Ewing, Haytin, Hess, Karlberg, MacDonald, Nixon and Williams. Total 11.

House Bill No. 359 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Hoiness, Holtz, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna,

Martin, Mernin, Michels, Mulrone, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: Corcoran, Harpster, Holding, Karlberg and Oliver. Total 5.

Absent and not voting: Ballard, Beck, Burns, Culbertson, Cunningham, Duncan, Haytin, Hess, Howard, MacDonald, Nixon and Williams. Total 12.

House Bill No. 36 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Bricker, Clark (Musselshell), Cotton, Culbertson, Cunningham, Domke, Dusak, Emmons, Esp, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McKenna, Mernin, Michels, O'Neil, Page (Granite), Peterson, Robertson, Smith, Tripp, Trout, Van Dyke, Westlake, Wilson (Judith Basin), Working and Mr. Speaker. Total 46.

Noes: Anderson (Phillips), Armstrong, Blenkner, Brenner, Clark (Silver Bow), Dokken, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Hall, Hawks, Hoiness, Howard, Krieg, Loughran, McCarthy, McElwain, Martin, Mulrone, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Wiedman and Wilson (Treasure). Total 37.

Absent and not voting: Ballard, Burns, Corcoran, Duncan, Duppler, Nixon and Williams. Total 7.

House Bill No. 297 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Armstrong, Blenkner, Brenner, Bricker, Clark (Silver Bow), Dokken, Domke, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Hawks, Haytin, Holding, Hoiness, Hunter, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Standish, Taber, Taylor, Tierney, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 53.

Noes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dusak, Emmons, Ewing, Gunderson, Hall, Harpster, Hess, Holtz, Howard, Jarussi, Laas, MacDonald, McKenna, Mernin, Peterson, Phillips, Skibby, Smith, Tripp, Trout, Van Dyke and Williams. Total 31.

Absent and not voting: Ballard, Burns, Corcoran, Duncan, Harlow and Nixon. Total 6.

Substitute House Bill No. 226 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Domke, Duppler, Esp, Ewing, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Krieg, Laas, Loble, MacDonald, Michels, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Sales, Scofield, Standish, Taber, Taylor, Westlake, Wil-



liams, Wilson (Treasure), Wilson (Judith Basin), Working, Pierce, Robertson and Mr. Speaker. Total 56.

Noes: Aronow, Cunningham, Dusak, Emmons, Foley, Ganson, Gunderson, Holding, Karlberg, Koch, Loughran, McCarthy, McElwain, McKenna, Mernin, Mulroney, Oliver, Phillips, Skibby, Smith, Tierney, Tripp, Trout, Van Dyke and Wiedman. Total 25.

Absent and not voting: Ballard, Brenner, Burns, Corcoran, Duncan, Dwyer, Jensen, Martin and Nixon. Total 9.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 121, 201, 362, 109 and 397; and 402 considered correctly engrossed, and 304 and 231 correctly engrossed.

VAN DYKE, Chairman.

House Bill No. 121 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Anderson (Hill), Ballard, Barnard, Burns, Clark (Silver Bow), Corcoran, Duncan, Emmons, Ganson, Jarussi, Karlberg, McElwain, Nixon and Peterson. Total 14.

House Bill No. 201 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Armstrong, Barnard, Beck, Brenner, Bricker, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Gebhardt, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Krieg, Loble, Loughran, MacDonald, McCarthy, Martin, Michels, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Van Dyke, Westlake, Williams, Wilson (Treasure), Working and Mr. Speaker. Total 57.

Noes: Andersen (Richland), Blenkner, Clark (Musselshell), Corcoran, Dokken, Dusak, Ganson, Goodgame, Holtz, Jensen, Karlberg, Koch, Laas, Mulroney, Page (Granite), Robertson, Trout, Wiedman and Wilson (Judith Basin). Total 19.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Burns, Duncan, Emmons, Gunderson, Harlow, Hunter, Jarussi, McElwain, McKenna, Mernin, and Nixon. Total 14.

House Bill No. 362 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbert-



son, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 75.

Noes: Hawks. Total 1.

Absent and not voting: Andersen (Richland), Anderson (Hill), Ballard, Brenner, Burns, Cotton, Duncan, Esp, Foley, Harken, Hunter, Jarussi, Mernin and Nixon. Total 14.

House Bill No. 109 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 70.

Noes: Page (Granite), Phillips, Sales, Skibby and Taylor. Total 5.

Absent and not voting: Anderson (Hill), Ballard, Brenner, Bricker, Burns, Duncan, Esp, Gunderson, Harken, Laas, MacDonald, Nixon, O'Neil, Pierce and Westlake. Total 15.

House Bill No. 397 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Anderson (Hill), Ballard, Brenner, Bricker, Burns, Duncan, Harpster, Hess, Howard, Hunter, Nixon, Pierce, Rostad and Westlake. Total 14.

Substitute House Bill No. 402 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Blenkner, Bricker, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Held-

ing, Hoiness, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure) and Working. Total 67.

Noes: Frerich, Jarussi, MacDonald, Phillips, Taylor and Wilson (Judith Basin). Total 6.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Barnard, Brenner, Burns, Clark (Musselshell), Cunningham, Duncan, Harpster, Hess, Holtz, Nixon, Pierce, Tierney, Westlake and Mr. Speaker. Total 17.

House Bill No. 304 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Working. Total 78.

Noes: None.

Absent and not voting: Anderson (Phillips), Aronow, Ballard, Brenner, Burns, Cunningham, Duncan, Harpster, Hess, Jarussi, Nixon and Mr. Speaker. Total 12.

House Bill No. 231 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peterson, Pierce, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Phillips), Armstrong, Ballard, Burns, Culbertson, Cunningham, Domke, Duncan, Ewing, Frerich, Gebhardt, Hess, Hoiness, Laas, Nixon, Peters, Phillips, Robertson, Rostad and Taylor. Total 21.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 349 and 396.

VAN DYKE, Chairman.

House Bill No. 349 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Tierney, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 64.

Noes: Aronow, Beck, Dusak, Emmons, Goodgame, Holding, Howard, MacDonald, McKenna, Mernin and Tripp. Total 11.

Absent and not voting: Ballard, Barnard, Burns, Culbertson, Cunningham, Dokken, Duncan, Frerich, Ganson, Hess, Nixon, Smith, Taylor, Trout and Laas. Total 15.

House Bill No. 396 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Ballard, Barnard, Brenner, Burns, Duncan, Frerich, Hess, Nixon, Robertson, Smith, Taylor and Krieg. Total 12.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 440.

VAN DYKE, Chairman.

House Bill No. 440 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 82.

Noes: Howard. Total 1.

Absent and not voting: Ballard, Burns, Duncan, Ewing, Hess, Nixon and Oliver. Total 7.

Senate Amendments to House Bill No. 132 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Andersen (Richland), Ballard, Burns, Duncan, Ewing, Haytin, Holding, Hess, Martin, Nixon, Phillips, Sales, Scofield, Skibby and Smith. Total 15.

Senate Amendments to House Bill No. 102 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Ballard, Barnard, Burns, Clark (Silver Bow), Corcoran, Duncan, Duppler, Ewing, Foley, Martin, Nixon, Phillips, Sales and Skibby. Total 14.

Senate Amendments to House Bill 74 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mulroney and Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Aronow, Ballard, Burns, Culbertson, Cunningham, Duncan, Ewing, Harlow, Hess, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), and Pierce. Total 16.

House please take notice that the Speaker is about to sign House Joint Resolution No. 2.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 233, 235, 259, 299, 300, 301, 43, 58, 61, 107, 172, 186, House Joint Resolutions Nos. 2 and 3, and House Joint Memorial No. 4.

WIEDMAN, Chairman.

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

PETERS.

House please take notice that the Speaker is about to sign House Joint Resolution No. 3.

I have examined House Joint Resolution No. 3 introduced by me and find the same to be correct.

PETERS.

House please take notice that the Speaker is about to sign House Joint Memorial No. 4.

I have examined House Joint Memorial No. 4 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign House Bill No. 43.

I have examined House Bill No. 43 introduced by me and find the same to be correct.

JARUSSI.

House please take notice that the Speaker is about to sign House Bill No. 58.

I have examined House Bill No. 58 introduced by me and find the same to be correct.

CLARK (Musselshell).

House please take notice that the Speaker is about to sign House Bill No. 61.

I have examined House Bill No. 61 introduced by me and find the same to be correct.

ARONOW.

House please take notice that the Speaker is about to sign House Bill No. 107.

I have examined House Bill No. 107 introduced by me and find the same to be correct.

HELDING.

House please take notice that the Speaker is about to sign House Bill No. 172.

I have examined House Bill No. 172 introduced by me and find the same to be correct.

HOINESS.

House please take notice that the Speaker is about to sign House Bill No. 186.

I have examined House Bill No. 186 introduced by me and find the same to be correct.

DOKKEN.

House please take notice that the Speaker is about to sign House Bill No. 233.



I have examined House Bill No. 233 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 235.

I have examined House Bill No. 235 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 259.

I have examined House Bill No. 259 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 299.

I have examined House Bill No. 299 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 300.

I have examined House Bill No. 300 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 301.

I have examined House Bill No. 301 introduced by me and find the same to be correct.

DUNCAN.

Moved by Loble that the House adjourn until 11:00 A. M. tomorrow, Saturday, February 19, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 19, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Ballard, Burns and Smith, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Forty-Seventh Legislative Day and find the same correct.

HOLTZ, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had

under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be concurred in.

HARLOW, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 18, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 114 by Doggett et al.

Substitute Senate Bill No. 61 by Taxation Committee.

Senate Bill No. 139 by Anderson.

Senate Bill No. 116 by Moss and James as amended.

Senate Bill No. 93 by Manning as amended.

Senate Bill No. 67 by Gosman et al as amended.

Senate Bill No. 103 by Manning as amended.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble that the remainder of the Messages from the Senate be considered read and the Journal so show. Carried.

## MOTIONS AND RESOLUTIONS

Moved by Dwyer that House Memorial Number 4 be taken from General Orders and be re-referred to Committee on Mines and Mining. Carried.

Moved by Clark (Musselshell) that action on third reading of House Bill No. 165 be reconsidered. Motion lost.

## INTRODUCTION OF SENATE BILLS AND MEMORIALS

The following measures were introduced, read first and second times, and referred to committees.

Senate Bill No. 99, introduced by Lehrkind, Busch and McQuitty: A bill for an act entitled: "An act to repeal Sections 4056, 4057, 4058, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077 and 4078 of the Revised Codes of Montana, 1935, and to enact in lieu thereof and hereby a revised act to define real estate brokers and real estate salesmen and to provide for the regulation, supervision, and licensing thereof, creating the office of real estate commissioner and a real estate board; providing a penalty for the violation of the provisions hereof and to provide a fund for the administration of this act and for other purposes." Referred to Committee on State Lands.

Senate Bill No. 72, introduced by Padbury and James: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section Two (2) of Article Nine (IX) of the Constitution of Montana, relating to the qualifications of electors." Referred to Committee on Constitutional Amendments.

Senate Bill No. 83, introduced by Tibbals, Moss, Mulholland and Blair: A bill for an act entitled: "An act relating to taxation and amending Section 4465.12 of the Revised Codes of Montana of 1935, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 46, introduced by Hofland, Brown and Mahoney: A bill for an act entitled: "An act to amend Section 4886 of the Revised Codes of Montana of 1935, as amended by Chapter 77 of the Session Laws of Montana of 1943, relating to fees allowed sheriffs for the Board of Prisoners; providing for an increase of said fees." Referred to Committee on Townships and Counties.

Senate Bill No. 122, introduced by Padbury: A bill for an act entitled: "An act designating the State Treasurer of the State of Montana as the fiscal agent of the state to receive from the United States, or any of its agencies, funds made available as grants to the state under any act of Congress, or otherwise, for any use or purpose: providing for deposit of such funds in state treasury, repealing all acts in conflict." Referred to Committee on State Boards and Offices.

Senate Bill No. 115, introduced by James and Anderson: A bill for an act entitled: "An act to amend Sections 2, 3 and 8 of Chapter 129 of the Laws of the Twenty-Fifth Legislative Assembly of the State of Montana, 1937, relating to financial responsibility of motor vehicle owners; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 126, introduced by Ross: A bill for an act entitled: "An act to amend Section 8896, Revised Codes of Montana, 1935, relating to the manner of making a list of persons to serve as trial jurors; repealing all acts and parts of acts in conflict herewith, and providing when this act shall take effect." Referred to Committee on Judiciary.

Senate Bill No. 92, introduced by Kelly and Aronson: A bill for an act entitled: "An act to amend Section 3 of Chapter 80, Session Laws of Montana, 1937, relating to unfair practice, defining "cost" and "customary cash discounts" and to amend Section 12A of Chapter 80, Session Laws of Montana, 1937, as it was added by Section 2 of Chapter 50, Session Laws of Montana, 1939, and as said section was amended by Section 2, Chapter 21, Session Laws of Montana, 1945, by striking therefrom the word "retail" wherever the same appears therein." Referred to Committee on Judiciary.

Senate Bill No. 84, introduced by Committee on Railroads and Transportation: A bill for an act entitled: "An act to amend Section 3798, Revised Codes of Montana, 1935, relating to the investigation of accidents on railroads, the manner in which they are investigated and the reporting thereof and setting the minimum value of property in accidents to be reported." Referred to Committee on Railroads and Railroad Transportation.

Senate Bill No. 11, introduced by Mahoney: A bill for an act entitled: "An act to amend Sections 4497 and 4502, Revised Codes of Montana, 1935, relating to salaries of persons employed in exterminating gophers and providing a maximum charge that may be assessed against the land owners." Referred to Committee on Judiciary.

Senate Bill No. 107, introduced by Committee on Compensation: A bill for an act entitled: "An act to authorize the Industrial Accident Board to accept whatever cash is on hand to apply on the payment of certain special

improvement district bonds issued in certain special improvement districts in the following cities in Montana, to-wit: Billings, Havre, Eureka, Whitefish, Grass Range, Livingston, and Laurel; and to charge off as worthless and, in the most part uncollectible, the remainder of said bonds now held by the Industrial Accident Board for its investment account; and repeal all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 135, introduced by Haynes: A bill for an act entitled: "An act to amend Section 9112, Revised Codes of Montana, 1935, relating to service of summons on certain corporations including national banking corporations who, through insolvency or lapse of charter, have ceased to do business in Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 120, introduced by Liggett and Walsh: A bill for an act entitled: "An act to amend Section 6351, Revised Codes of Montana, 1935, relating to the powers of title insurance companies." Referred to Committee on Judiciary.

Senate Bill No. 106, introduced by Toman, James, Angstman and Larson: A bill for an act entitled: "An act relating to annual vacation leave for state, county and city employees, providing for computation, accumulation and compensation for such vacation leave, repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Boards and Offices.

Substitute for Senate Bill No. 96, introduced by Committee on Roads and Highways: A bill for an act entitled: "An act to amend Section 1622, Revised Codes of Montana, 1935, as amended by Chapter 102, Session Laws of 1947, relating to powers and duties of county commissioners respecting highways; employment of road builder; employment of county surveyor as road builder; authorizing county commissioners, in their discretion, to employ road engineer in certain counties and fix his compensation therefor." Referred to Committee on Townships and Counties.

Senate Bill No. 112, introduced by Anderson and James: A bill for an act entitled: "An act to amend Section 8 of Chapter 199 of the Session Laws of Montana of 1943, relating to acts constituting crimes in the use of the highways and the operation of motor vehicles in the State of Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 63, introduced by Wilson (Toole) and Aronson: A bill for an act entitled: "An act to amend Section 30, Chapter 172 of the Session Laws of Montana, 1939, relating to electric co-operative, non-profit, membership corporations organized to engage in rural electrification." Referred to Committee on Water Conservation and Flood Control.

Senate Joint Memorial No. 5, introduced by Parriott, Phillips and Fewkes: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, United States Senators, James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, all of Washington, D. C., urging the immediate enactment of legislation to provide for a uniform divorce law throughout the United States." Referred to Committee on Judiciary.

Substitute for Senate Bill No. 82, introduced by Committee on Taxation: A bill for an act entitled: "An act to amend Section 10400.4 of the Revised Codes of Montana, 1935, relating to inheritance tax exemptions." Referred to Committee on Revenue and Taxation.

Senate Bill No. 100, introduced by Wenger: A bill for an act entitled: "An act to amend Section 2038, Revised Codes of Montana, 1935, as amended



by Chapter 14, Session Laws of 1943, relating to traveling expenses of county assessor and deputies." Referred to Committee on Townships and Counties.

Senate Bill No. 95, introduced by Kelly, Worden, Wenger, Wilson (Toole), Valiton, and Markle: A bill for an act entitled: "An act to amend Section 3654 of the Revised Codes of Montana, 1935, relating to compensation of Montana Fish and Game Commissioners." Referred to Committee on Fish and Game.

Senate Bill No. 70, introduced by Ross, Wilson (Toole) and Arnold: A bill for an act entitled: "An act to provide for arbitration in all disputes between an insured and an insurance company arising over the actual cash value of growing crops damaged or destroyed by hail or the amount of loss and damage suffered by damage done to growing crops by hail; providing for the selection of arbitrators and an umpire; providing for the matters to be raised to the umpire; providing for the payment of costs of arbitration." Referred to Committee on Insurance.

Senate Bill No. 31, introduced by Wallander, Fischer and Larson: A bill for an act entitled: "An act to amend Section 8262, Revised Codes of Montana, 1935, relating to interests in real property which may be mortgaged, and to debts which may be secured by mortgage of interests in real property, and authorizing mortgages to secure future advances, and establishing the priority of the lien for the amounts of future advances, and providing that the mortgagee shall furnish a statement of advances and amounts paid upon demand of mortgagor or creditor." Referred to Committee on Banks and Banking.

Senate Joint Memorial No. 4, introduced by Walsh, Doggett, Worden, Winters, Ross, Haynes, Angstman, Blair, Markle and Burke: A Joint Memorial entitled: "A Joint Memorial to the Secretary of Agriculture of the United States, wherein he has set the estimated consumption quota for sugar for 1949 at a figure that should promise a fair return to the sugar beet grower." Referred to Committee on Agriculture.

Senate Bill No. 30, introduced by Wallander, Fischer and Larson: A bill for an act entitled: "An act to amend Section 8275, Revised Codes of Montana, 1935, relating to interests in personal property which may be mortgaged, and to debts which may be secured by mortgage of interests in personal property, and authorizing mortgages to secure future advances, and establishing the priority of the lien for the amounts of future advances, and providing that the mortgagee shall furnish a statement of advances and amounts paid upon demand of mortgagor or creditor." Referred to Committee on Banks and Banking.

Senate Joint Memorial No. 7, introduced by Aronson, Wilson (Toole), Manning, Angstman, Arnold, McQuitty, Ross, James, Balgord and Markle: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana to Julius A. Krug, Secretary of the Interior, and Michael Straus, Commissioner of the Bureau of Reclamation, urging that after due consideration there be no agreement or understanding entered into which would delay the normal course of work in the construction of the Tiber dam on the Marias River in Montana and that construction thereon proceed as rapidly as possible." Referred to Committee on Water Conservation and Flood Control.

Senate Substitute for Senate Bill No. 15, introduced by Public Lands Committee: A bill for an act entitled: "An act to amend Sections 1805.3, 1805.5, 1805.8, 1805.14 and 1805.15 of the Revised Codes of Montana of 1935, and Sections 1805.7 and 1805.12 of said Codes, as amended by Chapter 138 of the Laws of Montana of 1943, relating to the Department of State Lands and Investments, and the powers of the State Board of Land Commissioners, and transferring certain functions of the Commissioner of State Lands and Investments to the State Land Agent; defining the duties of



the Commissioner of State Lands and Investments and of the State Land Agent; providing the term of office and compensation of the Commissioner and of the State Land Agent, and providing for field agents and clerical assistants in the Department of State Lands and Investments." Referred to Committee on State Lands.

Senate Bill No. 20, introduced by Aronson: A bill for an act entitled: "An act to amend Section 4526 of the Revised Codes of Montana, 1935, as amended by Section 2, Chapter 131, Session Laws of 1943, relating to contracts for care of poor and indigent sick and infirm of counties." Referred to Committee on Townships and Counties.

Senate Bill No. 110, introduced by Valiton: A bill for an act entitled: "An act to amend Section 1 of Chapter 69 of the Session Laws of Montana, 1943, relating to the permission of state institutions producing surplus commodities to trade or exchange them for needed supplies under certain conditions; permitting the giving away of surplus production to other state institutions." Referred to Committee on State Institutions.

Senate Bill No. 102, introduced by Phillips: A bill for an act entitled: "An act to amend Section 7, Chapter 182, Session Laws of 1943, relating to the admission of non-resident children to the Montana State School for the Deaf and Blind." Referred to Committee on State Institutions.

Senate Bill No. 101, introduced by Phillips: A bill for an act entitled: "An act to amend Chapter 214 of the Session Laws of 1947, relating to the manner of commitment of girls to the State Vocational School for Girls and relating to the payment of the costs of their maintenance in said school." Referred to Committee on State Institutions.

Senate Joint Memorial No. 6, introduced by Tibbals, Aronson, Markle, Ross, Valiton and Fewkes: A Joint Memorial entitled: "A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Congress of the United States, United States Senators James E. Murray and Zales N. Ecton, and Representatives Mike Mansfield and Wesley A. D'Ewart, all of Washington, D. C., requesting the enactment of legislation, allowing for and directing the annual payment of grants by the United States Government to the State of Montana for the use and benefit of the several counties of Montana in lieu of taxes on lands owned by the United States Government in the State of Montana." Referred to Committee on Federal Relations.

Senate Substitute for Senate Bill No. 61, introduced by Committee on Taxation: A bill for an act entitled: "An act prohibiting the licensing, use, operation, keeping or maintenance of slot machines within the State of Montana; defining certain terms used in this act; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith; providing for a referendum on this act; and providing for local option elections in counties on the question of the licensing and operation of slot machines and specifying the procedure for holding said elections." Referred to Committee on Revenue and Taxation.

Senate Bill No. 139, introduced by Anderson: A bill for an act entitled: "An act to amend Sections 3, 8, 9, and 10, of Chapter 142, Session Laws of 1945, relating to licensing of slot machines; defining the terms 'religious organizations', 'fraternal organizations', 'charitable organizations', 'veterans' organizations', and 'social clubs'; providing only bona fide members permitted to use slot machines; providing for suspension and revocation of licenses and hearing thereon and appeal from decision of board; providing for effective date of this act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

Senate Bill No. 116, introduced by Moss and James: A bill for an act entitled: "An act to amend Section 1202 of the Revised Codes of Montana of 1935, as amended by Chapter 273, Session Laws of the Thirtieth Legis-

lative Assembly, relating to the levy for the support of common schools." Referred to Committee on Education.

Senate Bill No. 93, introduced by Manning: A bill for an act entitled: "An act to provide for the creation of high school districts after public hearing; designating the commission empowered to establish such districts; designating the members of the boards of trustees of high school districts; providing for the consideration by said boards of high school expenditures proposed to be paid by special tax levies; providing for elections to vote upon special tax levies for high school purposes; providing that such special taxes shall be levied upon all property within high school districts; providing that when a special tax for high school purposes has been voted in a high school district, no additional special high school tax may be submitted in the same year to a vote in the local school district wherein the high school is situated; and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

Senate Bill No. 67, introduced by Gosman, Doggett, Wilson (Carbon), Buck, Sawtell, Walsh, Haight, Moss, Lehrkind, Mahoney, Henderson, Simon, Fewkes, Worden, Parriott, Valiton, Cremer and Fischer: A bill for an act entitled: "An act relating to budgets for high schools and the levying of taxes for high school purposes for the school years beginning July 1, 1949 and ending June 30, 1950; and beginning July 1, 1950 and ending June 30, 1951, and expending money received by school boards from the Federal Government in addition to the regular budget." Referred to Committee on Education.

Senate Bill No. 103, introduced by Manning: A bill for an act entitled: "An act to establish a foundation program of elementary and high school education and to equalize the distribution of funds to support said foundation program; creating a State Public School Equalization Fund and providing for the administration thereof; providing for the raising of revenues by school district and county taxes for support of the schools and for payments by the state in support of such schools within prescribed limits; providing for applications for approval as isolated schools and for action thereon by the County Budget Board, County Superintendent of Schools and State Superintendent of Public Instruction; providing restrictions upon the amount of expenditures in school budgets; providing the method of distribution and apportionment of school funds; providing for elections to vote upon extra levies; providing for reports by the State Board of Equalization; amending Sections of the Revised Codes of Montana of 1935 and of the Session Laws as follows: Sections 1019.9, 1019.19, 1219, 1263.3, 1263.5 as amended by Section 1, Chapter 280, Laws of 1947, and Section 1263.19, and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

Senate Bill No. 114, introduced by Doggett, Markle and James: A bill for an act entitled: "An act to amend Section 1, Chapter 152, Session Laws of 1941, Section 7, Chapter 152, Session Laws of 1941, as amended by Chapter 116, Session Laws of 1945, and Section 13, Chapter 152, Session Laws of 1941, as last amended in Chapter 169, Session Laws of 1947, relating to the transportation of public school pupils, and setting up a schedule for reimbursement for bus transportation." Referred to Committee on Education.

Senate Bill No. 64, introduced by Ebert and Cremer: A bill for an act entitled: "An act relating to the creation and establishment of county boards to be known as 'Montana County Resource Planning Boards', defining the purposes thereof, relating to the members of said boards, defining the powers and duties of said boards and fixing the compensation thereof." Referred to Committee on Townships and Counties.

Senate Bill No. 78, introduced by Angstman, Worden and Haynes: A bill for an act entitled: "An act relating to employees of the supreme court and the Board of Trustees of the Law Library of the State of Montana and

their compensation, amending Sections 368, 377 and 1569, Revised Codes of Montana, 1935, as amended by Chapter 38 of the Laws of 1939, providing for appointment of employees and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

Senate Bill No. 87, introduced by Haight, Arnold, Cole and McQuitty: A bill for an act entitled: "An act to amend Section 2396.4, Revised Codes of Montana, 1935, as amended by Chapter 96, Session Laws of the Twenty-fifth Legislative Assembly and by Chapter 67 of the Session Laws of the Twenty-sixth Legislative Assembly and by Chapter 130 Session Laws of the Thirtieth Legislative Assembly of the State of Montana, relating to refund of gasoline license taxes by providing the manner of proving claims in case of destroyed invoices." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 130, introduced by Bovey: A bill for an act entitled: "An act to separate the State Law Library from the State Library of Montana and to establish the State Law Library of the State of Montana as a separate library under the control of a board of seven (7) trustees of which the Chief Justice, the Associate Justices, the Secretary of State and the State Auditor shall be the members; prescribing the powers and duties of said board; providing for the appointment of a librarian and assistant librarian; prescribing the duties of such librarians, including the duty of indexing the laws and resolutions of the Legislative Assembly and the duty of preparing the volume of the Session Laws at the termination of each succeeding session of the assembly, and providing for the administration of the State Law Library and the use of books borrowed therefrom, and establishing the State Law Library Fund for the library and for the administration and functioning of the library, and for the compensation of the Librarian and Assistant Librarian, and for expenses of operation, and continuing the Legislative Reference Bureau in the State Law Library, and repealing Sections 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556 as amended by Chapter 112, Session Laws of 1943; 1557, 1558, 1559, 1565, 1567, 1568, 1569 as amended by Chapter 38, Session Laws of 1939, Revised Codes of Montana, 1935." Referred to Committee on State Boards and Offices.

Senate Bill No. 131, introduced by Bovey: A bill for an act entitled: "An act to perpetuate the Historical Society of the State of Montana as a public department of the state, to establish it upon a more adequate foundation, provide for its administration by a board of trustees and prescribing the method of their selection and their tenure and providing for their powers and duties and to enlarge their functions; recognizing the interest of citizens in the purposes and activities of the society by establishing classes of membership therein and providing for participation by members in the affairs of the society; identifying the historical and miscellaneous library of the State of Montana; providing that such society shall have the custody and administration of the historical and miscellaneous library and that the same shall be the property of the state in the custody and under the control of the society for the benefit of the state and its citizens; authorizing the appointment of a Chief Librarian and assistants and fixing their compensation; authorizing the renewal of the preparation and the regular publication of historical notes, papers, narratives and writings under the title formerly used by the society or other title as may be determined by the board of trustees, and authorizing the receipt of subscriptions for such publications for members of the public; authorizing the acquisition of writings, military histories, including histories of military organizations of this state when in federal service, manuscripts and printed matter, public and private, and the collection of fossils, specimens of ores and minerals, paintings, statuary, military relics, sculpture, antiques and objects of art and to provide suitable quarters for the society, the library and other properties in its custody in the capitol building until the completion of the Montana Veterans and Pioneers' Memorial Building, and thereafter in said building; authorizing the society to accept gifts,

devises and bequests as trustee of the state for the benefit and advantage of the society and in realization of its purposes, and for related purposes, and to repeal Sections 1547 through 1569, Revised Codes of Montana, 1935; and Chapter 38, Laws of Montana, 1939; Chapter 156, Laws of Montana, 1939; Chapter 112, Laws of Montana, 1943; and Chapter 172, Laws of Montana, 1943, and all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

Duncan asked permission to introduce with the unanimous consent of the House a bill providing for a deficiency appropriation. Permission granted.

### INTRODUCTION OF BILLS

House Bill No. 442, introduced by Committee on Appropriations, was thereupon read first and second times at length, and referred to Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1949 and ending June 30, 1951."

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 18, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to inform you that I have this day approved House Bills Nos. 185, 134, 158, and 130.

JOHN W. BONNER,  
Governor.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting:

Mr. Speaker appointed Haytin of Lewis and Clark to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 60 be concurred in.

Senate Amendments to House Bill No. 104 be concurred in.

Senate Amendments to House Bill No. 171 be not concurred in and that a conference committee be appointed to confer with a like committee from the Senate.

HAYTIN, Chairman.

Report adopted.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendment to House Bill No. 60 was concurred in by the following vote:



Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Mernin, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Andersen (Richland), Ballard, Burns, Cotton, Dokken, Domke, Duncan, Duppler, Hall, Hawks, MacDonald, McElwain, Martin, Michels, Oliver, Smith and Wiedman. Total 17.

Senate Amendment to House Bill No. 104 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Andersen (Richland), Ballard, Burns, Cotton, Dokken, Domke, Duncan, Duppler, Esp, Ganson, Hall, Hawks, Howard, MacDonald, Mernin, Smith and Westlake. Total 17.

Mr. Speaker announced the Conference Committee as follows: Harlow, Tripp and Blenkner, on Senate Amendments to House Bill 171.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bills Nos. 233, 235, 259, 299, 300, 301, 43, 58, 61, 107, 172, 186, and House Joint Resolution Nos. 2, 3, and 4 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:50 o'clock A. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442 do pass.

DUNCAN, Chairman.

Report adopted.

Moved by Loble that the House adjourn until 11:00 A. M., Monday, February 21, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.



## FIFTIETH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 21, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Ballard, Burns, Corcoran, Hoiness, McKenna, Michels, Page (Missoula), Standish and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Forty-eighth Legislative Day and find same correct.

HOLTZ, Chairman.

## COMMUNICATIONS FROM THE SENATE

February 19, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 153 by Holding.

House Bill No. 210 by Hunter and Haytin.

House Bill No. 211 by Hunter and Haytin.

House Bill No. 72 by State Boards and Offices Committee.

House Bill No. 205 by Hoiness.

House Bill No. 224 by Hess et al.

House Bill No. 240 by Koch.

House Bill No. 202 by O'Neil et al.

House Bill No. 200 by Esp and Scofield.

House Bill No. 219 by Foley and Tierney.

House Bill No. 88 by Blenkner.

House Bill No. 154 by McElwain et al.

House Bill No. 411 by Harlow.

House Bill No. 95 by Social Security Committee.

House Bill No. 96 by Social Security Committee.

House Bill No. 97 by Social Security Committee.

House Bill No. 98 by Social Security Committee.

House Bill No. 99 by Social Security Committee.

House Bill No. 100 by Social Security Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 19, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in the Senate Amendments:

House Bill No. 291 by Williams.

House Bill No. 196 by Military Affairs Committee.

House Bill No. 39 by Standish.

House Bill No. 260 by Appropriations Committee.

House Bill No. 311 by Harken.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 19, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and not concurred in, and the bill is herewith returned to the House:

House Bill No. 183 by Dwyer and McElwain.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 19, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like Committee from the House for the consideration of Senate Amendments to House Bill No. 171, in accordance with the request of the House:

Doggett, Chairman, Worden, Haight.

Respectfully,

CUAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Jarussi that Senate Bill No. 53 on General Orders be passed for the day. Carried.

Moved by O'Neil that Senate Bill No. 37 on General Orders be passed for the day. Carried.

Duncan asked permission to introduce two separate appropriation bills. Granted.

#### INTRODUCTION OF HOUSE BILLS

The following measures were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 443, introduced by Committee on Appropriations: A bill

for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state institutions, for the period beginning July 1, 1949 and ending June 30, 1951." Referred to Committee on Appropriations.

House Bill No. 444, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of per diem to the attaches and for the incidental expenses of the Thirty-first Legislative Assembly of the State of Montana." Referred to Committee on Appropriations.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 33 was concurred in by the following vote: Anderson (Phillips), Anderson (Hill), Barnard, Beck, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 69.

Noes: None.

Absent and not voting: Andersen (Richland), Armstrong, Aronow, Ballard, Blenkner, Burns, Corcoran, Duncan, Ganson, Harlow, Hess, Hoiness, Koch, McKenna, Michels, Page (Missoula), Scofield, Standish, Tierney, Westlake, Mr. Speaker. Total 21.

Senate Bill No. 40 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Burns, Corcoran, Cotton, Domke, Duncan, Emmons, Ganson, Gunderson, Harlow, Hoiness, Koch, MacDonald, McKenna, Michels, Page (Missoula), Scofield, Standish, Tierney. Total 21.

Senate Bill No. 41 was concurred in by the following vote: Andersen (Richland), Anderson (Hill), Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Dokken, Duppler, Dusak, Dwyer, Ewing, Foley, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mulroney, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Anderson (Phillips), Mr. Speaker. Total 54.

Noes: Brenner, Culbertson, Emmons, Esp, Frerich, Gebhardt, Goodgame, Gunderson, Hawks, Mernin, Smith, Taber, Taylor. Total 13.

Absent and not voting: Armstrong, Aronow, Ballard, Burns, Corcoran, Cotton, Cunningham, Domke, Duncan, Ganson, Hoiness, MacDonald, McKenna, Michels, Nixon, Oliver, Page (Missoula), Phillips, Scofield, Skibby, Standish, Tierney, Westlake. Total 23.

Senate Bill No. 42 was concurred in by the following vote: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 67.

Noes: Taylor. Total 1.

Absent and not voting: Aronow, Ballard, Brenner, Burns, Clark (Silver Bow), Corcoran, Cotton, Domke, Duncan, Ganson, Haytin, Hoiness, Hunter, MacDonald, McKenna, Michels, Page (Missoula), Phillips, Scofield, Standish, Tierney, Working. Total 22.

Senate Bill No. 43 was concurred in by the following vote: Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mulroney, Nixon, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 63.

Noes: Mernin. Total 1.

Absent and not voting: Andersen (Richland), Aronow, Ballard, Brenner, Burns, Corcoran, Cotton, Dokken, Domke, Duncan, Ganson, Haytin, Hoiness, Koch, MacDonald, McKenna, Martin, Michels, Oliver, Page (Missoula), Phillips, Sales, Standish, Taylor, Tierney, Westlake. Total 26.

### CONSIDERATION OF GENERAL ORDERS.

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of General Orders under rules of the previous sitting.

Mr. Speaker appointed McCarthy of Silver Bow to take the Chair. Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following measures, recommend:

Senate Bill No. 58, amend Section 2, after the words "power lines" and before the word "are" in the House Committee on Horticulture amendment, by inserting the words: "irrigation ditches", and as so amended recommend that Senate Bill No. 58 be concurred in.

Senate Bill No. 24 be concurred in.

Senate Bill No. 28 be concurred in.

Senate Joint Memorial No. 1 be concurred in.

Senate Bill No. 54 be concurred in.

Senate Bill No. 44 be passed for the day.

Senate Bill No. 51 be concurred in.

McCARTHY, Chairman.

Report adopted.

Moved by Loble that the House recess until 2 P. M.

## REPORTS OF SELECT COMMITTEES

### REPORT OF THE LIQUOR INVESTIGATING COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

Mr. Speaker: We, your committee appointed for the purpose of investigating the Montana State Liquor Control Board, beg leave to report as follows:

Reports have been made by investigating committees to the Session of the House of Representatives for the years 1945 and 1947. The testimony taken during the 1945 and 1947 investigations have not been made available to this committee. For that reason it was found advisable that this investigation should cover the period from 1943 down to the present time. We have earnestly endeavored to make the investigation as thorough as was possible having in mind the limited time available. A total of 33 witnesses were examined under oath. Their testimony has been transcribed and will be made a permanent record containing approximately 350 pages. Some 31 exhibits covering the various phases of the investigation have been made a part of the record. Whenever possible all of the members of the committee have been present at all of its sessions, and all of the members have been given the opportunity to participate in its proceedings.

The liquor business of the State of Montana is big business. In 1948 its total income was \$15,455,561.00. It has been big business during all of the years covered by this investigation. It is a business that calls for the highest degree of integrity in all of its officers and employees, and an unremitting attention to all of its transactions. That there has been, in some instances, a lack of integrity, and to a greater extent, a lack of co-operation and a definite failure to follow the law and the board's own regulations appears to this committee, beyond the peradventure of a doubt, through the testimony of the witnesses and by the exhibits.

#### 1. The Board of Liquor Control.

During the period investigated, the State Liquor Control Board has been composed of the following members: David R. Wallace of Helena, a retired merchant; John W. Corwin of Park City, a banker; and Carl H. Ripple of Butte, a certified public accountant. The administrators during the same period were T. H. McDonald, J. A. Buley and Charles H. Reed. The present assistant administrator is Ralph Conrad. All of these gentlemen were examined as witnesses. Mr. Wallace, the resident member of the board, appears to have, at various times, taken over the active management of the liquor business of the state. His constant interference was a contributing factor to the resignation of Administrators McDonald and Buley.

Buley testified:

"Q. Did you sever your connections with the board voluntarily?

A. I appreciated I was not getting along with Mr. Wallace.



Q. Why were you not getting along with Mr. Wallace?

A. Interference. As you all know there is internal politics. When you have a board member upsetting things, it is rather a poor way to do business."

McDonald testified:

"Q. Then Mr. Wallace assumed on the authority of the board?

A. Oh, yes. There was no doubt about that. — Just as I told you, I called up Mr. Corwin and he said, 'We have all agreed that whatever Mr. Wallace says is to go there, and I advise you to do exactly what he tells you.'"

As a part of his assumed authority Mr. Wallace took it upon himself to personally order great quantities of Tequila, Mexican rum, and concoctions of a like nature. Through his efforts the inventory of the State Liquor Warehouse during McDonald's administration rose to \$6,500,000.00, one-third of which was slow-moving or unsalable. Its quality will be adverted to later in this report.

While Wallace appears to have been extremely active in the over-all management of the state's liquor business, he betrayed, when questioned, an appalling ignorance of what went on. The other members of the board were likewise blissfully ignorant of transactions which were of common knowledge throughout the state. Little real information relative to the workings of the Liquor Control Board was obtained from the members of the board. Mr. Corwin and Mr. Ripple may be excused to a certain extent by reason of their absence from Helena. There is and can be no such excuse for Mr. Wallace.

In passing, it should also be noted that, during the period under investigation, Governor Ford attended many meetings of the board and was often consulted with reference to matters of policy. Doubtless he advised with the board on all such matters.

## 2. Records of the Liquor Control Board.

The minutes of the meetings of the Liquor Control Board are well kept and appear to set forth in detail to a certain extent all of the transactions of the board at their meetings. The minutes were made available to this committee and were thoroughly examined for the period 1941 to 1949. In a business such as that transacted by the board, it is essential that proper records, with supporting documents, be made and preserved covering every detail of the business. This has not been done. There was no record available showing the amount the State of Montana has lost through the purchase of unsalable and slow-moving merchandise. The committee requested this information but was unable to get it. The records of store "A" are in a chaotic condition. Supporting documents necessary to trace certain peculiar transactions were either entirely missing or had never been made. Other records of store "A" were poorly kept and fragmentary in their nature. Various papers were missing from files relating to applications for retail beer and liquor licenses. Some of such missing papers were found and produced when demanded by the committee. Others have not been produced. By merest chance the committee discovered a loss to the state of \$58,443.00 in the sale of rum by the board to a firm in Boston, Massachusetts. There appear to be no records showing whether licensees are operating under their licenses or holding the licenses for speculation. In many instances directions concerning the sale of liquor appear to have been verbal and not in writing. Rightly or not, the lack of records in the numerous instances above set forth, casts a suspicion upon the transactions involved. The responsibility for such suspicions must rest upon those in authority.

## 3. Liquor Purchases.

A normal inventory for the warehouses of the Liquor Control Board is from \$2,000,000.00 to \$3,000,000.00. In the year 1945 the inventory had reached the enormous total of almost \$7,000,000.00. Approximately \$3,000,000.00 of this total was represented by Tequila, Mexican rum, various imported brandies and an assortment of expensive imported wines. In addition there was a larger quantity of more or less undrinkable "rotgut" whiskey. The state warehouse was crammed so full of these concoctions that the Rumpf warehouse in Helena was leased for storage purposes at a cost to the state of \$7,350.00 (Exhibit 17). The Mexican rum contained dirt, straw, blowflies and bugs. It makes a person thirsty just thinking about it. The rum was filtered in Seattle at a cost of \$7,500.00. With bugs removed the price was reduced by approximately one-half. Needless to say, the state took a tremendous loss. Mr. Wallace, then Chairman of the Board, took personal charge of the orders which resulted in a stock of 50,000 cases of rum and brandy and 13,000 cases of Tequila. He wrote as follows:

"K and L Distributors,  
911 Towman Building,  
Seattle 4, Washington.

Gentlemen:

I hereby place my irrevocable non-cancellable order for goods to be delivered within the next 60 days to the State of Montana.

These orders will be paid for upon presentation of sight draft attached to bill of lading together with commercial invoice in triplicate. The orders follow:

2,000 cases Ron Toro 120 proof rum F. O. B. El Paso or Laredo .....	\$41.75
1,500 cases Continental Habanero, 90 or 100 proof, F. O. B. El Paso or Laredo .....	35.50
500 cases Estrella Ploar, 100 proof Tequila F. O. B. Seattle .....	35.50

Yours very truly,

D. R. WALLACE, Chairman,  
Montana Liquor Control Board."

The total cost to the state of the above liquors was \$154,500.00 plus freight and federal taxes. Auditors employed by the committee estimate that the state lost, by reason of the purchase of this and other dirty and unsalable liquor, an amount of approximately \$1,000,000.00. This loss is covered up in the board's records by the item "Cost of Sales" — a bookkeeping entry which is neither honest nor intelligent under the circumstances.

This was brought to Governor Ford's attention and is further evidenced by the testimony of T. H. McDonald, the former administrator who was discharged by the State Liquor Board in June 1944, after he had made complaint to Governor Ford of the existing conditions at the warehouse in regard to purchases and after his protest against purchasing Mexican and other poor grades of liquor.

The following is taken from Mr. McDonald's testimony in the transcript:

"Mr. McKenna: You made complaint to the Governor about the conditions down there?

A. Yes, I did.

Mr. McKenna: When did you make that complaint?

A. It was about a week or ten days before I went out by order of the board.

Mr. McKenna: That was Governor Ford?

A. Right.

Mr. McKenna: What was the reason you made complaint to the Governor?

A. The reason I made complaint to the Governor was that I knew that conditions were wrong, and I had got to the point where I didn't care one way or the other what happened as long as we made them correct it because I was interested in him at that time.

Mr. McKenna: You didn't want to get the Governor in bad?

A. No, I wanted to protest against the whole thing to him and try to get some support in what we were doing in the way of curbing the purchases.

Mr. McKenna: You complained to the Governor about the excessive amount of liquor that was being purchased?

A. That is the excessive amount of Tequila and some of those other items. And I gave him the data on the whole thing.

Q. You gave the Governor the data you gave us this morning?

A. Yes, and more then; there was one document I wish I had kept.

Q. What was the document?

A. I can't think; that was more than four and a half years ago. I probably could figure that out.

Mr. McKenna: You went to the Governor and explained to him you didn't think the State Liquor Control Board was running the place right at that time?

A. That's right; that is I protested generally along the line that I have told you and showed him these figures and what we were getting into.

Q. You, I imagine, told him about the Mexican liquor, that you didn't think we should buy that liquor?

A. Yes, sir.

Q. The reason for that was because it was such low grade liquor?

A. It was not salable. Tequila is probably a drink if it is rightly mixed, but the demand for Tequila after the first few months went way down.

Mr. McKenna: And it stayed on your shelves?

A. Yes.

Mr. McKenna: And the Mexican rum did the same thing?

A. That Mexican rum stayed in the warehouse because it had so much sediment in the bottom it was not salable."

The State of Montana thus entered upon the war rationing period well fortified with verminous, undrinkable liquor. But the credit of the state was stretched to the breaking point. There was no money left which could be invested in salable liquors. But various patriotic citizens at once came to the rescue and there ensued the strange situation whereby some dozens of associations and persons ordered and paid for their own liquor, stored

it in the state warehouse, and, in violation of the law and the regulations of the board, acted as wholesalers of liquor.

Under the emphatic provisions of our statutes there can be but one liquor wholesaler in the State of Montana—the Liquor Control Board. The board, however, suspended the operation of this statute. By regulation No. 25 it recognized and tacitly approved the issuance of "Federal Wholesale Stamps or basic permits in Montana to licensees under the Montana Retail Liquor Act or to Associations of Licensees." The Attorney General (Opinion 197, Vol. 21, P. 275) advised the Governor as follows:

"It is therefore my opinion Regulation No. 25 is unnecessary for the purpose of the administration of the Liquor Control Act or for carrying out the provisions of the Act or the orderly and efficient administration thereof. It is ineffective for any purpose. It was without the authority of the Board to make and is void and of no effect."

The results which followed regulation No. 25 are in part disclosed by various exhibits which are made a part of this record. Exhibit 15 discloses the purchase by the board of 5,000 cases of "Jack Rose" whiskey (?) from Treasure State Associates whose office was at Room 15, Pittsburgh Block, Helena, Montana. In short, these Helena associates, composed of Gene Robertson and others, wholesaled liquor directly to the State of Montana. Exhibit 30 discloses to some extent the activities of these illegal wholesalers. Thousands of cases of whiskey were purchased and distributed throughout the state by illegal holders of Federal Basic permits. Among those most active in the wholesaling trade were: L. Sasish, Billings; Crown Bar, Butte; Thomas H. Alley, Helena; Maurice Egan and Egan & Co., Helena; The Mint, Helena; and Oxford Bar, Missoula. Tom Alley and others were indicted under the Federal laws in connection with their activities as wholesalers, but all went scot free so far as the State of Montana was concerned. They were aided and abetted in their illegal actions by the Liquor Control Board and its administrators.

It seems to this committee that when such men as H. C. Brinck, a slot machine operator and a black-satchel man; Tom Alley, an ex-wrestler; the Egons, operators of the Mint in Helena, a gambling institution; William Daniels, a trucker who lost so much liquor en route and who refused to testify because he might incriminate himself, and who employed Gus Wright Brown as a driver, whose present address is Montana State Prison, Deer Lodge, Montana; and Eddie Newman, an ex-convict, were able to obtain great amounts of liquor to stock the liquor dealers of the state when the State of Montana, with all its resources and credit could not do it, then there was something radically wrong in the Montana Liquor Control Board. The State of Montana surely employed incapable men to operate its liquor business.

#### 4. The Banking Fraternity.

During the war period good liquor was scarce and high in price. Both the Liquor Board and the small retailers had no money to meet the demands of the distillers. They had to be contented with Mexican rum and Tequila. But the bankers came to the rescue of a favored few. Helena and Billings banks loaned hundreds of thousands of dollars to enable these gentlemen to purchase, control and distribute thousands of cases of the best liquor available. Exhibits 18 to 29 disclose the activities of one of those banks. The bankers took no chances. Part of the liquor purchased with their money was stored in their own vaults. Part was stored in a Billings warehouse under their control. Part was stored in other places under their own lock and key. They not only charged interest, but storage as well. Regulation No. 27 of the Liquor Control Board provided as follows:

"No liquor shall be stored or kept in or upon any premises which shall not be duly licensed as provided by law."



The banks and warehouses had no licenses from the board but they didn't worry about that. During the period December 23, 1942, to December 8th, 1945, the First National Bank of Helena stored 9,241 cases of whiskey for the Mint of Helena. A good many of the cases bore the label "Special Privilege." They were aptly named. The Billings storage and warehouse stored similar quantities of whiskey for "The Turf" of Billings. Strange to say The Mint and The Turf were under the same control. A bank at Lewistown accommodated one of its customers in like manner. A witness freely admitted that under the arrangements above set forth he and others were able to buy, control and distribute good whiskey in large quantities when it was unobtainable at the State Liquor Warehouse. It was illegal, of course, but no one worried—least of all the Montana Liquor Control Board.

#### 5. William Daniels and His Truck Line.

Billy Daniels owned a truck line. He hauled liquor for the State Liquor Control Board over a period of several years. On numerous occasions liquor was missing at the end of the journey. Billy paid for the missing liquor and the board was satisfied. It didn't worry where the missing liquor went. Neither did Billy. He just kept hauling liquor and losing it. On September 7, 1945, Billy's truck appeared at the warehouse with an order for 770 cases of whiskey for "Lawrence Bar and Associates" of Butte, Montana. Billy's men turned over a cashier's check in the amount of \$27,920.00 in payment. The whiskey never reached the Lawrence Bar. Indeed Lawrence knew nothing of the transaction. Billy delivered the truck load of whiskey to one Brinck, an unlicensed person, in Butte. Where it went from there we can only surmise. When pressed about the matter Billy took refuge in his Constitutional Rights and refused to answer on the ground that his answers might incriminate him. The following document, relating to the transaction, was found in the Miners National Bank of Butte (Exhibit 26)—

"Received of H. B. Brinck, the sum of Five Thousand Three Hundred Ninety Dollars (\$5,390.00) to be paid to William M. Daniels, as agent, upon the delivery to H. B. Brinck of Seven Hundred Seventy (770) cases of whiskey, through the Montana Liquor Control Board. Should the said 770 cases not be delivered the said \$5,390.00 is to be returned to the said H. B. Brinck. It is understood and agreed that the said seven hundred seventy cases of whiskey must be paid by said H. B. Brinck in addition to the payment of the \$5,390.00 above mentioned. It is understood that H. B. Brinck is buying the 770 cases for the account of the Red Rooster, Night Owl, Lawrence Bar, Victory Club, OKay Tavern, New Mexico, Cosmic Bar, Silver Slipper, Elk Park Bar, Northern Bar, Speedway, Nick's Place at Melrose, Swede's Place and Broadway Tavern.

The Miners National Bank of Butte,  
By s/ H. A. Koenck,  
Assistant Cashier.

Approved:

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These funds are now released and payable to WM. M. DANIELS.  
s/ H. B. Brinck.

Received the above sum of \$5,390.00 Sept. 12, 1945.  
s/ Wm. M. Daniels."

The sum of \$5,390.00 paid by Brinck to Daniels for the delivery of the 770 cases of whiskey amounts to a payment of \$7.00 per case. Perhaps Billy was correct in assuming that any answers he might give to questions by the committee would incriminate him.

#### 6. Store or Department "A".

Store "A" was originally set up at the State Liquor Warehouse as an



accommodation to the employees and for the distribution of Medicinal Alcohol to Hospitals, etc. It was then "Department A" and was handled by a warehouse employee as a de facto vendor. Store or Department "A" soon outgrew its original purpose and during the rationing period it blossomed like a rose. It drew upon the entire warehouse for its stock in trade. It delivered good liquor in case lots to favored customers and persons of influence upon verbal instructions from officers of the board. Out of 11,000 bottles of "Old Grandad" on hand and received during the rationing period, 50 per cent were sold out of store "A". Some orders were signed but no permit numbers were placed thereon. In other instances no orders were signed and the vendor merely reported the sale of several hundred cases of whiskey with no record of consignee or destination. All this in defiance of Section 16 of the Liquor Control Act which provides:

"Section 16. The state liquor store shall upon each and every sale of liquor to any licensee, issue a duplicate invoice of the liquor purchased as provided by said board, a copy of which shall be delivered to the licensee and one copy retained at such store. The invoice shall show the date of purchase, name of employee making the sale, the quantity of each kind of liquor purchased, the price paid therefor, the name of the licensee and the number of the license, with such other information as may be required by the board. The licensee shall keep and retain his duplicate invoice of all purchases made by him from the state liquor store, which shall at all times be subject to inspection by the duly authorized officers, agents and employees of the board."

A witness employed by a local liquor dealer backed his station wagon up to Store "A" and took three loads of whiskey to three different destinations in the state. The 770 cases of Brinck-Daniels whiskey came from Store "A". In another instance 1,013 cases of whiskey left Store "A" ostensibly for Lawrence Bar and Associates, Butte, Montana. It wound up in the hands of L. Sasich in care of the Midland National Bank, Billings, Montana. Sasich was not a licensed dealer. How or why the liquor was delivered to him cannot be ascertained. There are no explanatory records. The Officers' Club in Great Falls was a steady customer of store "A". It purchased by the truck load and the tastes of its members ran largely to bonded bourbon and imported Scotch.

Six cases of whiskey simply vanished into thin air from the floor of store "A." When an employee reported the incident he was told to mind his own business. Mr. Wallace had 27 cases of imported wine set aside for him but delayed making payment until the price had been reduced from over \$2.00 per bottle to 65 cents.

As before noted, the records of store "A" are chaotic and fragmentary. It is an absolute impossibility to check its transactions. In a great many instances it would appear that there was an intent and purpose to use store "A" to circumvent the law and the regulations.

#### 7. The Eight Per Cent Excise Tax Payable to the State of Montana.

Chapter 41 of the Laws of 1939, provides as follows:

"Section 15. The Montana Liquor Control Board is hereby authorized and directed to charge, receive and collect at the time of the sale and delivery of any liquor as authorized under any provision of the laws of the State of Montana an excise tax at the rate of eight per centum of the retail selling price on all liquor so sold and delivered. The Montana Liquor Control Board shall retain the amount of such excise tax received in a separate account and shall deposit with the State Treasurer, to the credit of the General Fund, such sums so collected and received not later than the tenth (10th) day of each and every month."

Neither the Board of Liquor Control or the administrator got around

to observing this law until about May, 1945. During the years 1940, 1941, 1942, 1943, 1944 and 1945, they were collecting the excise tax on the "cost price" and not upon "the retail selling price", as required by law. On or about May, 1945, someone awoke from a long sleep and an attempt was made to conform to the law. But the retail price could not be raised under the regulations of the OPA. The Liquor Board, therefore, retained its old method of assessing the excise tax against the "cost price" and paid the balance due the state out of its own profits until May 1, 1947. The accountants employed by the committee estimate the loss to the state from this failure to observe the law to be approximately \$2,000,000.00. Those responsible for the loss should be compelled to make it good.

On December 29th, 1948, Mr. Reed, the present administrator for the Montana State Liquor Board, as shown by Voucher No. 9870, bought for \$2,058.60, Caballera Brandy consisting of 564 bottles (4/5 quarts). There appears no purchase order for this liquor and the transaction was not recorded in the minutes of the board. The liquor was disposed of by sale of 324 bottles shipped to Store No. 116 and 240 bottles shipped to Store No. 2—both in Butte, Montana.

The Voucher shows payment to J. L. Bjorstad, of Glasgow, Montana, a lumber dealer who does not hold a liquor license.

Mr. Reed informed the auditors of the committee that he purchased the liquor on the approval of the attorney for the board and that the liquor was a part of 100 cases originally sold to one George Allen, and that J. L. Bjorstad loaned money on it to Allen.

The board lost 27c per bottle on the transaction, computed as follows:

Selling price per bottle .....	\$3.65
Less 8% excise tax .....	.27
Net selling price at Butte .....	3.38
Cost per bottle .....	3.65
Net loss to Montana per bottle .....	\$ .27

Net loss to Montana on the transaction: 564 x .27 equals \$152.28.

The transaction above mentioned was not only in direct violation of the laws of Montana, but the state suffered a loss of \$152.28. This kind of business must be condemned and those responsible required to reimburse the state for the loss suffered.

Other examples of losses under the excise tax are as follows:

The State of Montana suffered a loss of \$61,532.26 under the excise tax charged on the liquor handled through the Montana Liquor Board by Tom Alley, the Egans and others during the war when there was an alleged scarcity of good liquors and when the State of Montana permitted the purchasing of liquor by said individuals outside the State of Montana. This liquor was brought into Montana by paying the 58% mark-up as provided by the board and as explained under the previous headings. The loss of approximately 3% was due to the difference between 8% on the cost of the liquor and 8% on the selling price. The difference of 3% was paid by the Montana Liquor Board resulting in the said loss to the state of \$61,532.26.

Another example of miscalculation of the excise tax resulted in an excessive payment of the tax to the State Treasurer of \$263,020.85. This was during the period of January 1, 1941 to December 31, 1944, when the Montana Liquor Board paid to the State Treasurer of the State of Montana excise tax of 8.69% on sales instead of the 8% required under the law. This method of computation was corrected in 1945 and since that date 8% has been figured on sales as required.

The Administrator for the State Board of Liquor Control was advised under date of May 24, 1945, by the Attorney General (See Vol. 21, Attorney General's Opinions, page 55) as follows:

"The price paid by the consumer is the cost of the liquor to your board plus transportation and any other costs to your board to place the liquor on the floor of your warehouse in Helena, plus the regular fifty per cent markup, plus the United States floor stock tax. The state excise tax is then figured on the total retail selling price as above set forth."

#### 8. Montana Liquor Stamps.

Leo Kroetch has been warehouse manager for the Liquor Control Board for many years. On July 20, 1946, he reported to the board that 3,000 state liquor stamps had been taken from his desk in the warehouse. The stamps were not serially numbered. Almost at once the stolen stamps appeared throughout the state. Their going price was \$1.00 per stamp and for a time they had a good sale. Kroetch could give no explanation of how the stamps were taken. The board noted that he did not seem much concerned about the matter and admonished him to see what he could find out. In August 1946, the board decided that Kroetch should be discharged for inefficiency. On October 25, 1947, his salary was raised to \$300.00 per month. The stamp thief was never apprehended nor were the stolen stamps recovered. The liquor stamps are now numbered serially.

#### 9. Bootlegging.

Aside from and beyond the illegal activities of the holders of Basic Federal Permits heretofore noticed, a great amount of whiskey was sold by smaller fry who either trucked the liquor into the state from Wyoming, the Dakotas and Idaho, or who procured liquor from store "A" and other local liquor stores through the connivance of dishonest employees and retailed the liquor to equally dishonest retailers. In some instances such bootleggers were arrested and their merchandise seized by Federal officers. In other instances the seizure was made by state officers. Some of the seized liquor found its way into the state warehouse where it was traded to the basic permit boys for inferior whiskey and again entered the channels of illegal trade. At times these bootleggers became extremely bold and transacted their business in broad daylight and in the presence of officers who appeared to be indifferent. Inspectors of the State Liquor Board were wholly unable to stem the tide. An interesting side light of the bootlegging days was the theft of several hundred cases of whiskey from the Christy warehouse in Helena during the 1947 session. A truck driver for Daniels was involved. His name is Gus Wright Brown, and his F.B.I. record shows twelve convictions for forgery and larceny. He is now serving a sentence of 14 years at Deer Lodge where he was interviewed by the committee. He refused to make any statement. A further and complete investigation should be made of this theft.

#### 10. State Liquor Inspectors.

Ten liquor inspectors are regularly employed by the Liquor Control Board. They are under the direct supervision of Ralph Conrad, the assistant administrator. Their duties are two-fold: (a) to make investigations of applicants for beer and liquor licenses; and (b) to watch for infractions of the State Liquor Control Act. They have no police powers and must call upon local enforcement officers to make arrests. The situation with reference to the inspection is far from satisfactory. Their inspections with reference to the qualifications of applicants for licenses are not thorough and at times appear to be colored by personal likes or dislikes. They are seldom called to appear before the board at hearings held in regard to applications. Their reports upon applications are short personal letters mostly to the effect that the applicant is or is not qualified. No forms are supplied for the making of reports. Rumors persist that money has been paid to procure favorable inspection reports, although the committee was unable to obtain any factual proof thereof. Certainly the oppor-

tunity exists. In the minutes of the board there are comments upon the drinking or other habits of certain inspectors. Little or no action has been taken to follow up such comments. With reference to violations, the inspectors should be given some police powers to make arrests. Their reports or violations should be followed by an immediate suspension of the license and a hearing before the board with reference to the violation.

Each of the inspectors has a large territory to cover. The number of inspectors should be increased. They should all be required to pass examinations and should be carefully screened as to habits, integrity, honesty and ability. They should be paid a salary commensurate with their responsibilities and should be uniformed. They should be present at all hearings before the board where their reports are involved. Forms should be supplied to them for making full and detailed reports. It is the belief of the committee that in this department there is a great deal of opportunity for improvement.

#### 11. Licenses to Retail Liquor Dealers.

Under the provisions of Chapter 225 and 226, Laws 1947, the number of licenses to be thereafter issued is limited by the population of the cities or towns in which the licensed dealer intends to operate.

Chapter 76, Laws 1945, prevents the issuance or renewal of a liquor license to any person

- (a) who has been convicted of any crime or misdemeanor opposed to morality or decency or the federal or state laws;
- (b) Whose license has been revoked for cause;
- (c) Whose premises do not conform to the provisions of the act;
- (d) Who is not a citizen of the United States and who has not been a resident of Montana for at least five years.

Section 6 of Chapter 84, Laws of 1937, provides as follows:

"Upon receipt of an application for a license under this act, accompanied by the necessary license fee and bond, the board shall within thirty (30) days thereafter, cause to be made a thorough investigation of all matters pertaining thereto, and shall determine whether such applicant is qualified to receive a license and his premises are suitable for the carrying on of the business, and whether the requirements of this act and the rules and regulations promulgated by the board are met and complied with."

Regulations 15, 16 and 19 of the State Liquor Control Board provide as follows:

"Regulation No. 15. All licenses issued shall be signed by the administrator or the assistant administrator, and must be posted in a conspicuous place on the premises in respect to which said license or licenses are issued. All licenses shall be applicable only to the premises in respect to which they were issued. Where a licensee conducts two or more bars, which have such inter-communication as will enable patrons to move freely from one bar to another without leaving the premises, under his control, the various bars shall be regarded as parts of one place of business for which but one license is required.

"Where the proprietor of premises lets to another the privilege of selling liquors thereon at two or more bars, which are separated from each other by space under the control of the proprietor or any other person, such bars shall be regarded as separate places of business and a license must be purchased for each bar.

"One license is not sufficient to cover the operation of two bars on the same premises, if the proprietor excludes, for example, negroes from the bar reserved for whites, or whites from the bar reserved for negroes.



"One license is sufficient for one bar at which, for example, both whites and negroes are served, notwithstanding the races are separated by a partition."

"Regulation No. 16. All applications for licenses to sell liquor or beer at retail must be made to the board upon blanks supplied by the board. Upon receipt of such applications, the board will make, or cause to be made, a thorough investigation as to the qualifications of the applicant and the suitability of the premises for carrying on such retail business. If, upon such investigation, it appears that the applicant is qualified under the law and that the premises are suitable for carrying on such retail business under the laws of the state and the rules and regulations of the board, the board will issue the license or licenses.

"All applications for licenses shall set forth the names of all persons financially interested or to be interested in such business, if known, and the names of all those who afterward become financially interested shall be promptly reported to the board and if they are disqualified from holding a license under the law, the license of the place in which they become interested shall be revoked."

"Regulation No. 19. In determining the suitability of the premises for carrying on such retail business, the board will consider all matters pertaining to said premises and the business conducted therein; the board will consider the general reputation of said place of business, the reputation and character of the employees conducting said business; whether or not the applicant personally conducts and supervises said business or whether the applicant entrusts the management and supervision to others; the health and sanitary conditions of the premises. For the purpose of determining the qualifications of the applicant and suitability of the premises in respect to which the license or licenses are applied for, the board may hold hearings, hear testimony, consider affidavits and petitions on behalf of both applicant and protestants. Due and timely notice of such hearing shall be given to interested parties as provided herein.

"The board will consider the same matters and conditions on application for renewal of license as for the original application."

It is the belief of the committee that the board has failed to follow the law and its own regulations in the following respects;

(a) The investigation of the applicant is not thorough as required by law.

(b) Applicants with no premises have been granted licenses and renewals thereof, and are holding the same for speculation purposes. This is a clear violation of the purposes and intent of the law.

(c) Non-citizens and non-residents have been granted licenses or have been and are now permitted to operate premises with the license in the name of straw men.

(d) The number of permitted licenses under the 1947 law is being exceeded by the board.

The evidence before the committee discloses that actually little or no investigation is made either of the applicant beyond his own statements in his application. In one flagrant instance, a license was granted to a non-citizen now in the federal penitentiary for perjury. When the board discovered this man was not a citizen it did not revoke the license but permitted it to be assigned to an employee. In another instance the city of Great Falls was issued a beer and liquor license which was several times renewed and then assigned. The city, of course, was not qualified to run a saloon and never did operate one. In West Yellowstone, many of the taverns are owned and operated by residents of Idaho and Utah with the licenses in the names of employees. A like situation exists in Hungry Horse and Martin City, in Great Falls, Lewistown and also in other cities in the state. A total of 28 licenses have been issued within the five-mile



area of Coram, a village of two or three hundred people, and more licenses are in the offing.

Inspectors reports regarding these matters have been sidetracked and disregarded.

It seems clear that the law and the regulations should not be flouted in this manner. A thorough investigation of the applicant and his premises should be made before a license is issued or renewed, or before any transfer of a license is permitted. All licenses held for speculation should be revoked within 30 days. Where it is found that the actual owner or operator is a non-resident and the license is in the name of a straw man, such licenses should be revoked and those responsible prosecuted. There can be no compromise or evasion permitted with respect to the licensing laws.

In addition the law passed by this legislature limiting the issuance of additional licenses should and must be observed. If the board is doubtful, it should ask the court for a declaratory judgment in the matter. The board retains its own attorney and may ask the attorney general and the county attorneys for assistance.

## 12. Auditing and Examination.

The Liquor Control Board employs its own accountants. In addition, Mr. Webb, an employee of the State Examiner's office is employed, with other state employees, to audit the records of the state warehouse and the local stores. Webb is paid a salary by the state and in addition receives a per diem expense allowance from the liquor board. A similar per diem is paid to the other state accountants. All of the accountants live outside Helena and receive their expenses while working at the state warehouse.

Exhibit 10, which is the consolidated statement of the Montana State Liquor Control Board for the years 1947 and 1948, shows payment by the board for store audit and examiners fees as follows:

1947 .....	\$19,984.54
1948 .....	20,519.23
Total .....	<u>\$40,503.77</u>

The amount paid appears to the committee to be excessive. The audit is devoted to an examination of purchases, sales and expense. No particular examination is made of the original records to determine whether the law is being followed in the transactions of the board. The committee feels that at least every two years a complete audit and examination of all books, records and transactions of the board should be made. Since this audit will be primarily for the benefit of the legislature and the people of the state, it should be made by the state at its expense. Recommendations should be made by the auditors and all infractions of law and regulations carefully noted.

No such audit has been made for a period of 8 years. After consultation with Governor Bonner and pursuant to the powers given to it, the committee has employed independent accountants who are now making a full and complete audit of all of the books, records and transactions of the board. Its findings and recommendations will be reported to the House of Representatives.

## 13. Items of General Expense and Travel Expense.

In Exhibit 10, the consolidated statement for 1947 and 1948 appears the following items:

	1948	1947
General Expense .....	\$17,554.39	\$14,987.29
Travel Expense .....	24,363.34	22,280.72

For a period of ten days the committee has sought from the Liquor

Control Board an explanation and breakdown of these items. The committee desired information as to what expenses were included in the item, "General Expenses." The committee desired to know whether the salary of Mr. Wallace as general manager of the Liquor Control Board was included therein. With respect to the item, "Travel Expense," the committee desired to know whether barnstorming trips to conventions were included therein. But none of this information has been given.

14. W. C. Mitchell, His Letters, and Mr. J. A. Buley.

On several occasions, Mr. W. C. Mitchell, Helena, Montana, has published and circulated letters concerning criticisms and rumors pertaining to the Montana Liquor Control Board and the investigation thereof. He was subpoenaed to appear and testify before the committee. He failed to appear at the time set and by resolution presented to the House of Representatives, he was cited for contempt of the House. He was arrested and presented to the House of Representatives. Thereupon he stated he was ready to testify to the committee. He was brought before the committee, sworn and testified. His testimony gave the committee no light concerning the activities of the Montana Liquor Board other than what he had been told by Mr. J. A. Buley, who was the administrator for the Montana Liquor Board from June 1944 to December 31, 1947 when Mr. Buley was relieved of his duties for reasons unexplained to your committee. His testimony, Page 10, Line 31, follows:

"Tierney:

Where did you get your information?

A. I told you.

Q. You got it all from Mr. Buley?

A. Yes."

During the time Mr. Buley was acting as administrator, Mr. Alley, Mr. Brinck, the Egans and Wm. Daniels were enriching their pockets with profits from liquor, which profits should have gone to the State of Montana. It covered that period of time when Mr. Brinck acquired 770 cases of liquor and Mr. L. Sasich received 1,013 cases of liquor from the warehouse. His administration also covered the period of time when many other irregularities, pointed out in this report, occurred. So, no doubt, he is very much interested in the result of the investigation.

Mr. Buley is the same administrator of the Board who is mentioned in the testimony of Fred Heinecke and who agreed with Mr. Heinecke that he would take back from the First National Bank any liquors, in the stock stored by the bank, that could not be disposed of. See Transcript, Line 32, Page 34 to Line 26, Page 35, as follows:

"McKenna:

Q. Now would you have a conference with Mr. Buley at various times in connection with liquor transactions?

A. No, I don't remember any particular conferences. We would check with him occasionally.

Q. Why would you check?

A. In order to establish the fact that we were making a loan on liquor because our concern was that if anything happened to the loan that we would have a way of disposing of it and converting it into cash.

Q. And you took Mr. Buley's word for it that the liquor board would take back the liquor?

A. We would have no trouble taking the liquor back if the costs were as high at the time we wanted to dispose of it as at the time we made the

loan. That is a chance we were taking, and that wasn't too much of a chance with everything going up. No, I think that is about the only discussion we had with Buley.

Q. Did you ever discuss the matter with any of the members of the liquor control board?

A. I would say no.

Q. That would be Mr. Corwin, Mr. Wallace, and Mr. Ripple.

A. I don't recall.

Q. You would say you did not?

A. I would say I did not because I don't think there would be any occasion because we had a good margin of security, and we had the assurance of Joe (Buley), and we considered it a good loan. It was a closed issue."

#### 15. List of Witnesses Examined by the Committee.

D. R. Wallace, J. A. Buley, Roger Murray, James Lawrence, William Daniels, Wes Mullen, John Kall, Fred Heinecke, T. H. McDonald, John W. Corwin, Ralph Conrad, Lyman E. Moore, May Gooby, Marcus Golubin, Leo Kroetch, James McDonald, Eddie Newman, Charles Neilson, L. M. Rogers, William Roberts, Julius Palagi, Norman Smith, Paul Smith, William Webb, Carl H. Ripple, Charles H. Reed, William Boyar, C. A. Curtis, Gene Robertson, Mike McLaughlin, Wm. Holdorf, Gus Wright Brown and W. C. Mitchell.

#### 16. Exhibits Introduced.

Exhibits 1 and 2—Car license numbers.

Exhibit 3—List of liquors sold—Nov. 1, 1948.

Exhibit 4—Cost of filtering Ron Toro Rum.

Exhibit 5—Payments to D. R. Wallace.

Exhibit 6—Order for rum, tequila, etc.

Exhibit 7—Expense of stores, 1947.

Exhibits 8 and 8a—List of beer and liquor licenses.

Exhibit 9—Warehouse inventory—12/31/48.

Exhibit 10—Consolidated statement 1947-1948.

Exhibit 11—Rules and regulations—1/17/49.

Exhibits 12 and 13—Memoranda—First National Bank.

Exhibit 14—Reports re West Yellowstone.

Exhibit 15—Purchases Jack Rose whiskey.

Exhibit 16—Expenses of stores—1948.

Exhibit 17—Rental paid—Rumpf warehouse.

Exhibit 18—Billings warehouse receipts.

Exhibit 19—Running inventory—First National Bank.

Exhibits 20-25—Chattel mortgages—First National Bank.

Exhibit 26—Agreement—Brinck and Daniels.

Exhibit 27—Inventories—Billings warehouse.

Exhibit 28—Inventory—Tom Alley—First National Bank.

Exhibit 29—Inventory—The Mint—First National Bank.

Exhibit 30—List of special purchases.

Exhibit 32A—Newsletter of W. C. Mitchell.

Exhibit 32B—Certificate from Laucks Laboratories, Inc.

### RECOMMENDATIONS

We, your Committee on Liquor Investigation, therefore, beg leave to recommend as follows:

(a) That the administrator under the Liquor Control Act be a business man, familiar with merchandising, whose honesty and integrity are above reproach. That he be authorized to make all purchases and to generally manage the operations of the state warehouse under the supervision of the board.

(b) That the number of personnel and salaries to be paid in local stores be regulated and fixed by the administrator under the supervision of the board.

(c) That all files relating to purchases, sales, and licensing be kept up to date and complete.

(d) That there be a complete overhauling of all records of the board to the end that such records shall be kept hereafter in accordance with law and the regulations of the board under the supervision of the State Board of Examiners.

(e) That there be a thorough and complete audit of all transactions of the board at least once every two years and that the results of such audit be reported to the Legislature and the Governor.

(f) That the number of inspectors be increased, that they pass proper examinations and be carefully screened. They should have police powers, be uniformed and be paid salaries commensurate with their responsibilities.

(g) That the laws and regulations relating to licensing of retail dealers be strictly followed and enforced. That no licenses be permitted to be held for speculation, and that no non-resident of the state be permitted to own or operate a tavern or saloon. That the board forthwith initiate an investigation to determine to what extent the licensing laws are being violated, and that all illegal and excessive licenses be revoked.

(h) That no licenses in excess of the limitations of Chapter 225 and 226 Laws of 1947 be granted.

(i) That all purchases of liquor be made through authorized distillers and distributors. That no one other than the board be permitted to distribute liquor at wholesale within the state.

(j) That no bank be permitted to store liquor upon its premises and that the laws and regulations relative to the storage and distribution of liquor be strictly enforced by criminal proceedings if necessary.

(k) That a further investigation be made of the theft of whiskey from the Christy warehouse by Gus Wright Brown.

(l) That Store or Department A at the state warehouse be forthwith abolished and that no liquor be sold from said warehouse at retail or except to the State Liquor stores.

(m) That the testimony taken and transcribed, and all exhibits pertaining thereto and the audit made for the committee, be made a permanent public record of the state and filed in the office of the Secretary of State.

(n) That this committee be not discharged until the completion of the audit of the books and records of the Liquor Control Board and the filing

of such audit with the committee, and that said audit and the recommendations therein contained, be considered as a part of this report.

(o) That the Attorney General of the State of Montana be furnished a copy of this report that he may bring action on any bonds of officers or against any individuals who may be responsible for losses to the State of Montana through mismanagement or neglect; and that he may bring appropriate criminal action against the responsible person or persons.

Respectfully submitted,

J. E. McKENNA, Chairman,  
FRANK TIERNEY,  
DAN H. CORCORAN,  
LLOYD J. MICHELS.

February 21, 1949.

Mr. Speaker and  
Members of the House of Representatives:

As a member of the committee appointed to investigate the State Liquor Control Board, I did not have the opportunity to examine many exhibits considered by other members of the committee which are referred to in the majority report; and since I was not advised of all meetings, I was unable to hear all of the evidence presented. Therefore, I have refused to sign the report.

It is true that the report was hurriedly read to us. However, it is long and involved, with a great many figures, and it was not possible for me to fully comprehend all facts set forth.

After I have had an opportunity to study the report, I shall then determine whether to sign the report or present a minority report.

LYLE H. STANDISH, Member  
of Committee appointed to  
investigate the State Liquor  
Control Board.

## MONTANA LIQUOR CONTROL BOARD AUDIT REPORT

December 31, 1948

To the Liquor Investigating Committee  
of the House of Representatives  
of the State of Montana

We have examined the balance sheet of the Montana Liquor Control Board as of December 31, 1948, and the related statements of income and surplus for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In addition, we were requested by your committee to obtain or verify information relative to specific activities, policies, or transactions of the Montana Liquor Control Board during the eight-year period from January 1, 1941, to December 31, 1948. The results of these findings are set forth under the respective headings following the balance sheet comments.

### Balance Sheet Comments

The following comments further explain the items in the order of appearance on the balance sheet, Exhibit A.



## Cash

State Treasurer .....\$1,123,919.89

The amount of cash on deposit with the State Treasurer was verified independently by us at the balance sheet date and at the end of each year from 1941 as well as at interim dates. The retail stores throughout the state deposit their total receipts in local banks to the credit of the State Treasurer or purchase post office money orders which are sent to the state office of the board. These money orders are deposited to the credit of the treasurer in a Helena bank and all deposit advices are assembled as a deposit which is transmitted to the State Treasurer daily for credit. All bills are paid as the transactions are completed, and the cash book is held open after the close of the month to record the bills for the month under the period incurred. For the purpose of our balance sheet, we have set up the accounts payable as of December 31, 1948, and increased the cash balance by the corresponding amount of \$183,103.48.

Petty Cash Funds .....\$3,515.00

This amount is the total of all petty cash funds in the state. Each store balance was verified by correspondence with the vendor and the cash fund of \$100.00 in the central office by actual count. The funds do not appear to be excessive in any instance, and the reimbursement procedure appears to be adequate.

Receivables .....\$6,813.91

The receivables were not verified independently, but all underlying documents were examined to determine their authenticity, and the payments received subsequent to December 31, 1948, were traced into the cash account. Practically all amounts due were paid excepting a claim with the Union Pacific Railroad Company in the amount of \$458.95, which has been disputed and will possibly be compromised.

Inventories .....\$2,784,834.25

We were not present when the physical inventory in the central warehouse in the amount of \$1,929,706.15 was taken on December 31, 1948, but we were present and took independently this stock on January 31, 1949. This inventory was reconciled through the perpetual inventory records to the balance on December 31, 1948.

We corresponded with the vendors of the stores and received directly from them the following certificate:

"I certify that I have taken or had taken inventories in my custody each month and have reported these inventories to the state office of the Montana Liquor Control Board.

"That to the best of my knowledge and belief the inventories so taken were exact and correctly stated the stock on hand without exception."

In addition to the above certificate, the perpetual inventories of the stores, maintained in the central office, were checked in detail with physical inventories, and the transactions posted during the year were tested in order to satisfy ourselves as to the general accuracy of the records.

The total inventory has been reduced by \$102,927.86 to provide for possible losses on slow-moving, obsolete, and below-standard stock. This provision is 25% of the inventory value of the stock which has a turnover of less than once a year. The total inventory was turned over more than five times during the year 1948. Included in the total slow-moving stock of \$411,711.42 is \$119,441.83 in stock upon which the selling price has been reduced without a corresponding reduction of inventory value to allow a margin of profit and selling costs upon sale. Accepted accounting dictates that such a margin should be provided. A twenty per cent margin on this

merchandise would require a write-down of \$25,504.04. This is not necessary because of the inclusion of the total amount in the provision for slow-moving merchandise previously explained.

Fixed Assets .....\$146,365.68

For the purposes of this report the depreciation which has been credited to the fixed asset accounts, thus reducing the balance, has been set up separately in order to show the gross investment and the depreciation provided since acquisition. The exception is the investment in the outside stores, which information was not available without more work than we felt was justified for the result obtained. The information is, however, obtainable if desired from the state offices of the board.

The additions to the asset accounts appear to be proper capital charges, and it does not appear that any permanent equipment or improvements have been charged to expense accounts.

Prepaid Expenses .....\$45,773.70

The prepaid expenses were verified by computation and examination of the underlying documents supporting the expenditures. The supplies inventories appeared to be properly and carefully taken and priced. We did not verify these inventories by physical check in their entirety but made, in our opinion, adequate tests.

Current Liabilities .....\$183,631.68

As explained under the heading of Cash, the liabilities were increased by us to reflect the expenses incurred prior to December 31, 1948, but paid for after that date by checks dated December 31, 1948. This rearrangement was made in order to more exactly set forth the financial condition of the board on that date. Excepting \$131.67, all amounts were paid prior to the time of our examination and all appeared to be for merchandise or expenses incurred in the conduct of the business.

Undistributed Profit .....\$3,927,590.75

The undistributed profit of the Montana Liquor Control Board increased from \$1,107,730.88 on January 1, 1941, to the above amount of December 31, 1948, and in addition there was transferred to the State Treasurer \$14,661,740.69 during the eight-year period.

The earnings and distribution of profit by years follows:

Year	Earnings	Profit Distributed
1941	\$ 1,530,374.48	\$ 1,400,000.00
1942	1,994,472.61	1,500,000.00
1943	2,342,362.20	1,500,000.00
1944	1,849,758.84	611,740.69
1945	1,814,766.00	650,000.00
1946	2,883,291.60	2,000,000.00
1947	2,520,507.10	2,000,000.00
1948	2,546,067.73	5,000,000.00
Total	\$17,481,600.56	\$14,661,740.69

The large withdrawal in 1948 was possible because of the smaller inventory requirement. The reverse was true in 1944 and 1945 when the inventory was being increased.

The statement of income, exhibit B, sets forth in some detail the items of income and expense for the calendar year 1948. The net income of \$2,546,067.73 is after giving effect to the surplus charges and credits on the books of accounts and the provision for slow-moving stock as previously explained. The debits to the surplus account on the books, in addition to the Ron Toro Rum price adjustment of \$29,109.71 was in the amount

of \$742.69 for a refund of floor tax. This amount was netted with the credit adjustments of \$5,287.40 on the accompanying exhibit B. Of the latter amount, \$4,013.79 was an insurance premium refund in connection with the Rumpf warehouse deal.

All transactions should be handled through the profit and loss account or explained in considerable detail if it is decided to put the amount directly into the surplus account which practice is generally frowned upon by accountants.

During the year 1948 and in previous years, merchandise was reduced in price to sell at less than cost without a corresponding reduction in the inventory account. The reduction in the inventory was effected at the end of the year by an adjustment of all differences between the book and physical inventory. Good accounting practice requires that all major adjustments be entered on the books when they occur, and also that they be clearly set forth and not consolidated or concealed by a charge to the cost of goods sold.

LIQUOR INVESTIGATING COMMITTEE  
HOUSE OF REPRESENTATIVES, STATE OF MONTANA  
SPECIAL INFORMATION REQUESTED

As previously explained, in addition to our examination of the balance sheet of the Montana Liquor Control Board as of December 31, 1948, we were requested to obtain additional information which is set forth and explained under the several headings.

Price Reduction .....\$919,100.95

The following is a partial list of reductions in the original sales price of merchandise as noted on the inventory cards maintained in the central office, but does not include reductions on similar stock at the various retail stores. In most instances these reductions are the total of a number made over a period of time in an effort to move the merchandise.

Jack Rose Whiskey	\$116,905.10
Old Overholt Rye Whiskey	34,145.28
Portugal Aromatic Flavor Gin	2,547.60
Dixie Belle Sloe Gin	5,508.15
Guirara Tequila	92,673.68
Mariachi Tequila	52,229.85
Tequila Mexican	21,150.38
Phino Cabral Brandy	88,086.30
Jesse Moore Whiskey	13,359.30
Ron Toro Rum	31,602.00
Ron Merito Rums	15,750.68
Caballero Brandy	128,171.45
Harwood Whiskey	11,136.00
Fonseca Muscatel	22,667.64
Tarragona Tawny Port	7,860.03
Casablanca Rum	40,443.55
Moreira Tawny Port	187,570.04
Morgado Port	23,989.92
Alfonso Sherry	12,613.32
Caballero Sherry	10,690.68

Total	\$919,100.95
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Loss of Excise Tax .....\$2,100,000.00

Due to the erroneous method of computing the 8% excise tax levied by the State of Montana on the gross liquor sales in the state, the Montana Liquor Control Board lost, by failing to add on to the sales price, an estimated \$2,100,000.00 in revenue during the period from January 1, 1941,

to December 31, 1948. The excise tax was computed on 8% of the cost of the merchandise exclusive of some federal taxes rather than on 8% of the retail selling price as provided in the law. This resulted in approximately 3% of the 8% being lost. In other words, about 5% was collected from purchasers of the liquor, and the balance was paid by the board from other income. The reason for this error is not clear, as the board paid at least 8% to the State Treasurer at all times, and were therefore aware of the cost. As early as September 18, 1941, the minutes disclose that after a rather lengthy discussion, it was decided and unanimously carried that the mark-up on the liquor would remain at the present rate of 58% on the delivered cost. The law requires that, "the Montana Liquor Control Board shall retain the amount of such excise tax received in a separate account and shall deposit with the State Treasurer, to the credit of the general fund, such sums so collected and received not later than the (10th) day of each and every month." If this sentence as to handling of the fund had been complied with, the deficiency would have been apparent without computation as only 5% was collected. The law clearly states that "the Montana Liquor Control Board is hereby authorized and directed to charge, receive, and collect at the time of the sale and delivery of any liquor—an excise tax at the rate of "eight percentum of the retail selling price" on all liquor so sold and delivered. (*Italics in the law*). In view of the above, it would appear that the failure in compliance was known. We did not compute the above deficiency exactly, as it cannot be recovered and therefore did not justify the expenditure of time required. The amount of \$2,100,000.00 is, however, a conservative estimate of the total loss, any correction of detail would be an addition rather than a deduction.

Excessive Payment of Excise Tax  
to the State Treasurer .....\$263,020.85

While the board was failing to collect the 8% excise tax as required, they were for the period from January 1, 1941, to December 31, 1944, paying the State Treasurer 8.69% of the sales. This error was due to the method of computing the 8% tax. The calculations were made on the gross sale including the tax rather than on the amount of the liquor sale. In other words, the board paid the State Treasurer 8% on the 8% tax.

The method of computing the tax payment to the State Treasurer was corrected during the year 1945, and since that date the tax payment has been correct although the correction of the imposition of the tax as explained above was not made until May, 1947.

Excise Tax Paid for Privileged Purchasers .....\$61,532.26

During the war period and after when distilled spirits were difficult to obtain, certain individuals purchased liquor outside of the State of Montana and by agreement with the Montana Liquor Control Board brought the merchandise into Montana by paying the 58% mark up as required by the board. The 8% was to take care of the 8% tax as previously explained but being computed on cost amounted to approximately 5% of the sales price. This resulted in a deficiency of about 3% which was paid to the State Treasurer from other income of the board.

Loss on December 29, 1948 Purchase .....\$152.49

On December 29, 1948, voucher No. F 9870 was issued in the amount of \$2,058.60 to J. L. Bjorstad, a lumber dealer in Glasgow, Montana, who does not hold a liquor license for 564 bottles of Caballero Brandy at \$3.65 per fifth. The brandy was shipped to Butte for disposition and sold at the same price, \$3.65 per fifth. The state, therefore, paid and lost the 8% excise tax on the transaction. The 8% lost on the transaction amounts to \$0.27 per bottle or a total of \$152.49.

Store A—1945 .....\$705,972.59

Store A is located in the central warehouse in Helena and was orig-



inally set up to handle purchases of the employees in the building. During the war years it was used as a clearing house to collect the 58% mark-up for liquors brought into the state outside of the board. It appears it was also used to supply liquor for special purposes such as conventions and privileged individuals.

In 1945 the records disclose that 147,002 units were dispensed through Store A, at a total price of \$705,972.59. The sales slips available indicated the following disposition.

To Whom Issued	No. of Units
No signature or not legible	5,507
Armed Forces	11,454
Alley, Egan, Mint	100,314
L. Sasich, Billings	12,156
Lawrence Bar, Butte	8,040
Elks Club, Missoula	5,200
Conventions	1,310
All others	3,021
Total as above	147,002

It appears that none of the issues through the A store were for the individuals in the building as originally intended. The type of merchandise issued may also be of interest.

Brand Name	All Sales	1945 Store A	Other Stores
Teachers Scotch	3,666	396	3,270
Black & White	5,630	1,294	4,336
Walkers DeLuxe	33,302	392	32,910
I. W. Harper	3,551	1,051	2,500
Old Crow	13,818	198	13,620
Old Forester	7,704	2,952	4,752
Old Taylor	9,008	1,426	7,582
Kentucky Tavern	6,774	570	6,204
Old Grand Dad	5,398	2,935	2,463
Haig & Haig 5 Star	1,330	427	903
John Walker Red Label	2,676	703	1,973
John Walker Black Label	1,555	12	1,543
Kings Ransom	408	12	396
Totals	95,563	12,722	82,841

#### Carrier Losses

Carrier losses during the years when liquor rationing was in effect were unusually large and your committee requested that we make a complete check of the claims during the period with particular reference to the claims of the Independent Motor Carriers and Daniels Freight Lines, both operated by William Daniels of Butte.

It was the policy of the board to accept payment for losses, without further investigation, during the time liquors were rationed. The amounts were usually adjusted by insurance companies or claim agents, who, if making further investigation into the cause of the loss or the disposition of the merchandise, did not report, or were not requested to furnish such information to the board.

During the years in addition to breakage, the Daniels lines reported the following shortages:

Year	Units Lost
1943	917
1944	1,552



1945	572
1946	1,954
1947	127

During the period from January 1, 1946 to October 21, 1946, the following information was available for comparison between the companies carrying 93% of the outgoing freight. In this tabulation, the Daniels Lines record was consistently poor and for the most part the losses were of rationed merchandise.

Carrier Losses 1/1/46 to 10/21/46

Percent of Total Business	Northern Pacific Ry. Co. 34%	Great Northern R. R. Co. 25%	Daniels Freight Lines 25%	Northwestern Freight Lines 8%	Consolidated Freightways 1%
Bottles Lost					
Whiskey	204	235	1,771	13	14
Wine	58	44	6	5	
Brandy	12		4		
Rum			2		1
Ale	2	15			
Liqueur		4			
Tequila				1	
Totals	276	298	1,783	19	15

There was no evidence made available to us that would indicate that any of the losses were fictitious, despite rumors of misdirected merchandise. There was, however, evidence of partiality and continued favoritism after the losses were called to the attention of the administrator. The above schedule is a copy of such a report from the files.

In 1946 two major robberies were reported by the Independent Motor Carriers, both at Great Falls. On January 8, 1946, a claim was filed for 26 cases of whiskey reported stolen from a truck parked by the retail store and broken into during the night. The investigation was reported by an insurance company.

On May 29, 1946, claims were filed for 57 cases of whiskey shipped from Helena to Great Falls. The carrier reported that the warehouse at Great Falls was broken into and the whiskey stolen. The amount was paid in two installments and no evidence supported the claim.

There was also reported by the same carrier a loss of 11 cases and 5 bottles shipped to store No. 2 in Butte on October 14, 1946 and a seven-case shortage on October 16, 1946, in a shipment to Lewistown.

### OUTSIDE DEALERS

During the rationing period, a considerable amount of liquor was brought into the state by outside interests, as previously explained. While the transactions were carried through the books of the board, it did not necessarily follow that the merchandise was received and dispensed by them. In many cases, the shipments were direct to the wholesaler or purchaser. In some instances, the transactions were financed by banks and third parties and the merchandise held as security for the loans.

The largest of such wholesalers or operators was Kenneth Egan and Associates and his successor, Thomas Alley. The quantity of liquor acquired by him through Store A is set forth above. In some instances, it appears that liquor distributed by these groups was designed as having gone to other names apparently used fictitiously.

Notations on the documents would indicate that some of the mer-

chandise received by Egan and his associates, was charged to the Montana Liquor Control Board's quota from the distillery.

### LICENSES

The licenses issued during the past several years since the enactment of the quota laws in 1947 were examined in some detail. Without going into details to each license, the situation in Hungry Horse, Coram and Martin City, Flathead County and West Gallatin, in Gallatin County appear to be in violation as to quota and as to residential requirements, if the enforcement officer's reports are correct. In the case of Martin City, the board control card shows a quota of 2 beer and liquor licenses and one beer license and eleven licenses issued. The Mint Bar license is dated August 26, 1948, and Boyer's Place, August 27, 1948. Both would appear in violation of the quota and were originally refused on this ground. The application for the license issued to J. H. Libin each year since 1944 at the Burke Tropical Room in Lewistown, Montana, appears to be signed differently each of the five years.

### LOSSES

The actual loss resulting from price reductions together with other large losses resulting from Montana Liquor Control Board transactions are as follows:

(a) Loss by reason of reduction in sales price below cost of merchandise	\$347,302.90
(b) Loss on sale of inventories to L. Alpern on 9/30/47	67,457.19
(c) Loss on inventory returned to Berke Bros. 12/31/47	58,443.07
(d) Loss on claim against M. H. Brotman, 11/22/46	17,168.40
(e) Loss on reduction in price of Ron Toro Rum 2/48	29,109.71
Total loss	<u>\$519,481.27</u>

A typical illustration of the losses in (a) above is for the transactions with respect to Moreira Tawny Port.

On September 15, 1944, this item which had a cost of \$1.48 per bottle, was reduced in price to \$1.50 per bottle. At a price of \$1.50, a loss of \$0.09 was sustained on each bottle sold at that price after providing for the 8% excise tax. On September 15, 1944, the warehouse inventory contained 233,043 bottles of this merchandise which at \$0.09 per bottle resulted in a loss of \$20,973.87. Later reductions further increased this loss.

In connection with this item, the warehouse inventory card indicated reduction in price on August 1, 1944 of from \$2.36 per bottle to \$1.75 per bottle. During the period, August 3, 1944 to September 9, 1944 the warehouse inventory card indicated that 184,556 bottles of this item were received to be sold at \$1.75 per bottle. The gross margin at \$1.75 per bottle after providing for the 8% excise tax was only \$0.14 before cost of handling, transportation to stores, and selling costs. To acquire the 184,556 bottles required an expenditure of some \$273,000.00 with about \$78,000.00 already invested in this particular brand.

The losses in (a) have been computed only on stock in the warehouse, and therefore does not include losses on similar merchandise on hand at the various retail stores, as time did not permit the additional verification. Costs of handling as well as transportation costs to retail stores are not included.

### ACCOUNTING FOR LOSSES

- (a) The books of account do not reflect losses incurred by reason of

inventory reductions below cost, as such, except for (e) above which was charged to "profit and loss" in 1948 but was not set up as a separate item in the 1948 report of the Montana Liquor Control Board. The price reductions except for this one exception were included in an omnibus entry at the end of the year, and as a result was charged as a cost to the various retail stores throughout the state. In other words, the losses incurred were deducted as a cost of merchandise sold to the retail public instead of being set up as a loss of the central office.

(b) The loss on sale of inventories to L. Alpern amounting to \$67,457.19 was not set up as a separate loss on the books of account, but was instead entered as a cost of sales made to the retail public throughout the state. This was accomplished by spreading the loss to the individual stores through the "cost of sales" account and thereby making this loss a part of the total cost of sales for each store as compared to a loss of the central office.

(c) Loss on inventory returned to Berke Brothers was not reflected on the books of account as such but was instead added as a cost of warehouse inventory, and then at the end of the year charged as a cost of sales to the retail stores similarly to (a) and (b) above.

(d) Loss on settlement of claim with M. H. Brotman was reflected on the books of account as a separate loss by a charge to "profit and loss" but was not set up as such in the annual report of the Montana Liquor Control Board.

#### GENERAL

In 1945 the gross profit on sales reached the low of 19.51%, a reduction of 12% from the high in 1941 and 4.86% below the 1948 margin. The percentages for each year follows:

1941	32.40
1942	30.41
1943	26.91
1944	23.07
1945	19.51
1946	21.70
1947	23.09
1948	24.37

The low percentages were due to large extent to charge-offs direct to the cost of goods sold, and to additional federal taxes on which no profit was made. As previously explained, charge-offs should be shown separately. We have also previously explained how the failure to collect excise taxes which had to be paid out of income, reduced the margin.

In our computations, we determined several instances where errors in billing outside accommodation purchases were expensive to the board. In two such instances, the error cost the board \$1,852.80 in revenue.

In the 1948 annual report, the opening balance in the undistributed profits or surplus account was not the same as the closing balance at December 31, 1947. These amounts should either be identical or the difference reconciled.

In 1944 there was a debit entry to the warehouse inventory of \$133,980.50 and in 1945 a credit entry of \$140,385.51 to the same account, or a total of undetermined differences between the two years of \$274,366.01. This difference, which may include many corrections, is too large to be explained by generalizations. All journal entries should carry complete explanations and justifications. This also applies to approximately \$300,000.00 in adjustments to the stores during the eight years.

In our opinion, the accompanying balance sheet and statement of income present fairly the financial position of the Montana Liquor Control Board at December 31, 1948, and the results of its operations for the year

then ended in conformity with generally accepted accounting principles, except as otherwise commented upon elsewhere in this report.

Very truly yours,

NEWLAND & BLINN,  
Certified Public Accountants.

Butte, Montana,  
February 19, 1949.

## MONTANA LIQUOR CONTROL BOARD

Exhibit A

## BALANCE SHEET

December 31, 1948

## ASSETS

## Current Assets

## Cash

State Treasurer	\$1,123,919.89	
Petty cash funds	3,515.00	\$1,127,434.89

## Receivables

Due from carriers	2,765.94	
Due from distillers	1,067.51	
Customers	1,152.17	
Claims	927.51	
From stores	900.78	6,813.91

## Inventories

Stores	958,055.96	
Warehouse	1,929,706.15	

Total	2,887,762.11	
Less, provision for slow stock	102,927.86	2,784,834.25

Total current assets		\$3,919,083.05
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## Fixed assets

Land	\$ 2,690.00
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## Building

Excavation	\$ 31,659.26
Structure	147,268.96
Heating, cooling and ventilating	12,284.78

Total building	191,213.00
Less, depreciation	62,982.68

Net depreciated value	128,230.32
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## Fixtures and machines

Central office	42,013.89
Less, depreciation	33,196.92

Net depreciated value	8,816.97
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Net depreciated value in stores	6,628.39	15,445.36
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Net depreciated fixed assets		146,365.68
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## Prepaid expenses

Licenses	3,327.48
Insurance	29,895.30
Supplies	12,550.92

Total prepaid expenses

45,773.70

\$4,111,222.43

## LIABILITIES

## Current liabilities

Accounts payable  
Due creditors

\$ 11,250.96

Taxes payable

State excise tax	\$ 165,314.13
Withholding tax	3,603.70
Public employment re- tirement	3,066.36

171,984.19

Due stores

Overages	115.45
Suspense	281.08

396.53

Total current liabilities

183,631.68

## Undistributed profit

Balance January 1, 1941	\$1,107,730.88
Income from January 1, 1941 to December 31, 1947	\$14,935,532.83

Less, distribution of income  
to State Treasurer  
January 1, 1941 to De-  
cember 31, 1947

9,661,740.69      5,273,792.14

Undistributed profit Janu-  
ary 1, 1948

6,381,523.02

Net income for the year  
ended December 31,  
1948, Exhibit B

2,546,067.73

Total

8,927,590.75

Less, distribution to the  
State Treasurer during  
the year 19485,000,000.00Undistributed income De-  
cember 31, 1948

3,927,590.75

\$4,111,222.43MONTANA LIQUOR CONTROL BOARD  
STATEMENT OF INCOME

Exhibit B

For, the calendar year ended December 31, 1948

Liquor sales	\$15,187,667.22
Less, cost of liquor sold	11,486,952.33

Gross profit on liquor sold

\$ 3,700,714.89

## Expenses:

Salaries and commissions	\$684,863.23
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Freight and drayage	149,511.50
Rent	55,458.75
Licenses and taxes	6,535.83
Insurance	38,868.34
Employees' retirement	14,382.70
Utilities	14,174.09
General expense	15,371.63
Supplies	24,239.96
Travel	25,917.54
Legal	1,625.00
Repairs	5,472.31
Breakage and shortage	4,366.33
Store audit and examiners	23,129.68
Machine rental	12,049.08
Depreciation	10,647.47
Other department expense	10,037.33

Total expense	1,096,650.77
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Net profit	\$ 2,604,064.12
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Add, other income	
Liquor permits	\$ 42,833.50
Discounts earned	6,434.84
Other income	20,228.13
Minor surplus adjustments	4,544.71

Total other income	74,041.18
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Total	\$ 2,678,105.30
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Deduct:		
Ron Toro Rum price adjustment	\$ 29,109.71	
Provision for slow-moving stock	102,927.86	132,037.57

Net income for the year 1948 (exhibit A)	\$ 2,546,067.73
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McKenna moved the adoption of the report.

Substitute motion by Bricker that the report be accepted and that copies be mimeographed for each member. Motion lost.

Original motion carried.

Moved by Loble that the report of the auditors employed by the Liquor Investigation Committee and considered as part of the report be mimeographed in sufficient quantities and supplied to the members. Carried.

February 21, 1949.

We, your Senate and House Joint Conference Committee appointed to consider Amendments to House Bill No. 171, report as follows: We recommend that Senate Amendments to House Bill No. 171, be concurred in.

#### HOUSE COMMITTEE

HARLOW  
TRIPP  
BLENKNER

#### SENATE COMMITTEE

DOGGETT  
WORDEN  
HAIGHT

#### THIRD READING

The following measure having been read three several times, history and title agreed to, was disposed of as follows:

Senate Amendment to House Bill No. 171 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Culbertson, Dokken, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Holding, Mr. Speaker. Total 70.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Cunningham, Domke, Dwyer, Goodgame, Hess, Hoiness, MacDonald, McKenna, Nixon, Peters, Taber, Taylor, Tierney, Westlake. Total 20.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration Senate Bill No. 110: A bill for an act entitled: "An act to amend Section 1 of Chapter 69 of the Session Laws of Montana, 1943, relating to the permission of state institutions producing surplus commodities to trade or exchange them for needed supplies under certain conditions; permitting the giving away of surplus production to other state institutions." Respectfully report as follows: That Senate Bill No. 110 be concurred in.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration Senate Bill No. 102: A bill for an act entitled: "An act to amend Section 7, Chapter 182, Session Laws of 1943, relating to the admission of non-resident children to the Montana state school for the deaf and blind." Respectfully report as follows: That Senate Bill No. 102 be not concurred in.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration Senate Bill No. 101: A bill for an act entitled: "An act to amend Chapter 214 of the Session Laws of 1947, relating to the manner of commitment of girls to the State Vocational school for girls and relating to the payment of the costs of their maintenance in said school." Respectfully report as follows: That Senate Bill No. 101 be not concurred in.

PAGE (Granite), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had

under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be referred to the Committee on Judiciary.

HALL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 31, respectfully report as follows: That Senate Bill No. 31 be referred to the Committee on Judiciary.

HALL, Chairman.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE SENATE

February 21, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House bills were this day read third time, and the following actions taken:

House Bill No. 156 by Westlake et al, concurred in as amended, title and history agreed to, and returned to the House for concurrence in Senate amendments.

House Bill No. 247 by Page (Missoula) et al, concurred in.

House Bill No. 246 by Page (Missoula) et al, concurred in.

House Bill No. 181 by McElwain, Dwyer, concurred in.

House Bill No. 410 by Ganson by request, concurred in.

House Bill No. 280 by Tierney et al, concurred in.

House Bill No. 257 by Hunter, concurred in.

House Bill No. 392 by Tripp et al, concurred in.

House Bill No. 197 by Sales, concurred in.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 21, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day on motion, requests the House to return House Bill No. 183 for further consideration.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Duncan that consideration of Senate Amendments to House Bill No. 260 now on General Orders be passed for the day. Carried.

Moved by Ewing that Senate Bill No. 44 be taken from General Orders and be re-referred to the Committee on Fish and Game. Carried.

Moved by Loble that in accordance with the request from the Senate that House Bill No. 183 be returned to the Senate. Carried.

## THIRD READING

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Bricker, Cunningham, Dokken, Emmons, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harpster, Haytin, Holding, Howard, Hunter, Jarussi, Karlberg, Laas, McCarthy, Page (Granite), Harlow, Robertson, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Judith Basin), Mr. Speaker. Total 34.

Noes: Armstrong, Clark (Silver Bow), Culbertson, Esp, Ewing, Ganson, Hall, Hawks, Koch, Loble, McElwain, Martin, Mernin, Mulroney, Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Wilson (Treasure). Total 22.

Absent and not voting: Ballard, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Domke, Duncan, Duppler, Dusak, Dwyer, Hess, Hoiness, Holtz, Jensen, Krieg, Loughran, MacDonald, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Smith, Taber, Taylor, Tierney, Westlake, Working. Total 34.

Senate Bill No. 24 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Peters, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mernin, Mr. Speaker. Total 62.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Duncan, Dusak, Dwyer, Hall, Hess, Hoiness, Holtz, Jensen, Krieg, Loughran, MacDonald, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Pierce, Smith, Taber, Taylor, Westlake, Working. Total 28.

Senate Bill No. 28 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Koch, Laas, Loble, McCarthy, McElwain, Mernin, Page (Granite), Peters, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Judith Basin), Mr. Speaker. Total 55.

Noes: Martin, Mulroney, Phillips, Pierce. Total 4.

Absent and not voting: Anderson (Phillips), Ballard, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Duncan, Dusak, Dwyer, Hall, Hess, Hoiness, Jensen, Karlberg, Krieg, Loughran, MacDonald, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Smith, Taber, Taylor, Westlake, Wilson (Treasure), Working. Total 31.

Senate Joint Memorial No. 1 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, Martin, Mernin, Mulroney, Page (Granite), Peters, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Tierney, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 56.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Harpster, Hess, Hoiness, Jensen, Krieg, Loughran, MacDonald, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Phillips, Rostad, Taber, Taylor, Tripp, Westlake, Wiedman, Working. Total 34.

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, Martin, Mernin, Mulroney, Page (Granite), Peters, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 60.

Noes: None.

Absent and not voting: Ballard, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Duncan, Dusak, Dwyer, Emmons, Hess, Hoiness, Hunter, Jensen, Krieg, Loughran, MacDonald, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Rostad, Taber, Taylor, Tierney, Westlake, Working. Total 30.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Mernin, Mulroney, Page (Granite), Peters, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Judith Basin), Mr. Speaker. Total 59.

Noes: None.

Absent and not voting: Armstrong, Ballard, Brenner, Bricker, Clark (Musselshell), Corcoran, Cotton, Duncan, Dusak, Dwyer, Emmons, Gebhardt, Harpster, Hess, Hoiness, Jensen, Krieg, Loughran, MacDonald, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Rostad, Taber, Taylor, Tierney, Westlake, Wilson (Treasure), Working. Total 31.

Moved by Mernin that Senate Bill No. 65 be taken from General Orders and be re-referred to the Committee on Judiciary. Carried.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 441 has been returned correctly printed.

O'NEIL, Chairman.



## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

Mr. Speaker appointed Mulroney of Missoula to take the chair.

Committee arose.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendment to House Bill No. 291 be concurred in.

Senate Amendment to House Bill No. 196 be concurred in.

Senate Amendment to House Bill No. 39 be concurred in.

Senate Amendment to House Bill No. 311 be concurred in.

Senate Bill No. 55 be concurred in.

Senate Bill No. 66 Amend Section 1 by adding in line 15 after "P. M." the following words: "And provided further that this act shall not apply to counties operating under the County Manager plan." and as so amended recommend that Senate Bill No. 66 be concurred in.

Senate Bill No. 18 be concurred in.

Senate Joint Memorial No. 3 be concurred in.

Senate Joint Memorial No. 2 be concurred in.

MULRONEY, Chairman.

Report adopted.

Moved by Loble that the House adjourn until 10:00 A. M. Tuesday, February 22, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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FIFTY-FIRST LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 22, 1949.

House convened.

Mr. Speaker in Chair. Invocation by Chaplain.

On roll call, all members were present except Ballard, Hoiness, Mernin and Michels, excused.

Mr. Speaker: We, your committee on Journal, beg to report that we have examined the Journal for the Fiftieth Legislative Day and find same correct.

HOLTZ, Chairman.

COMMUNICATIONS AND PETITIONS  
DEPARTMENT OF STATE

Cheyenne, Wyoming

February 17, 1949.

Mr. Speaker:

I have the honor to transmit herewith a certified copy of Enrolled Joint Memorial memorializing the Governors and the Legislatures of the States of Montana and North Dakota to rescind their former acts approving the Yellowstone River Compact, and to set up new commissions for re-negotiating it, as passed by the Thirtieth Legislature of the State of Wyoming.

This certified copy is sent to you in compliance with the provisions of said Memorial.

Very truly yours,

A. G. CRANE,  
Secretary of State.By: T. C. THOMPSON,  
Deputy Secretary of State.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: Nos. 72, 74, 88, 96, 97, 98, 99, 100, 102, 104, 132, 153, 154, 200, 202, 210, 211, 219, 224, 240, 411.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 72.

House please take notice that the Speaker is about to sign House Bill No. 74.

House please take notice that the Speaker is about to sign House Bill No. 88.

House please take notice that the Speaker is about to sign House Bill No. 96.

House please take notice that the Speaker is about to sign House Bill No. 97.

House please take notice that the Speaker is about to sign House Bill No. 98.

House please take notice that the Speaker is about to sign House Bill No. 99.

House please take notice that the Speaker is about to sign House Bill No. 100.

House please take notice that the Speaker is about to sign House Bill No. 102.

House please take notice that the Speaker is about to sign House Bill No. 104.

House please take notice that the Speaker is about to sign House Bill No. 132.

House please take notice that the Speaker is about to sign House Bill No. 153.

House please take notice that the Speaker is about to sign House Bill No. 154.

House please take notice that the Speaker is about to sign House Bill No. 200.

House please take notice that the Speaker is about to sign House Bill No. 202.

House please take notice that the Speaker is about to sign House Bill No. 210.

House please take notice that the Speaker is about to sign House Bill No. 211.

House please take notice that the Speaker is about to sign House Bill No. 219.

House please take notice that the Speaker is about to sign House Bill No. 224.

House please take notice that the Speaker is about to sign House Bill No. 240.

House please take notice that the Speaker is about to sign House Bill No. 411.

I have examined House Bill No. 72 introduced by me and find the same to be correct.

HESS, Chairman,  
Committee on State Boards  
and Offices.

I have examined House Bill No. 74 introduced by me and find the same to be correct.

HARKEN, Chairman,  
Committee on Judiciary.

I have examined House Bill No. 88 introduced by me and find the same to be correct.

BLENKNER.

I have examined House Bill No. 96 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Committee on Social Security.

I have examined House Bill No. 97 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Committee on Social Security.

I have examined House Bill No. 98 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Committee on Social Security.

I have examined House Bill No. 99 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Committee on Social Security.

I have examined House Bill No. 100 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Committee on Social Security.

I have examined House Bill No. 102 introduced by me and find the same to be correct.

ANDERSEN (Richland).

I have examined House Bill No. 104 introduced by me and find the same to be correct.

WIEDMAN.

I have examined House Bill No. 132 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

I have examined House Bill No. 153 introduced by me and find the same to be correct.

HELDING.

I have examined House Bill No. 154 introduced by me and find the same to be correct.

McELWAIN.

We have examined House Bill No. 200 introduced by us and find the same to be correct.

ESP, SCOFIELD.

I have examined House Bill No. 202 introduced by me and find the same to be correct.

O'NEIL.

I have examined House Bill No. 210 introduced by me and find the same to be correct.

HUNTER.

I have examined House Bill No. 211 introduced by me and find the same to be correct.

HUNTER.

I have examined House Bill No. 219 introduced by me and find the same to be correct.

FOLEY.

I have examined House Bill No. 224 introduced by me and find the same to be correct.

HESS.

I have examined House Bill No. 240 introduced by me and find the same to be correct.

KOCH.

I have examined House Bill No. 411 introduced by me and find the same to be correct.

HARLOW.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Substitute Senate Bill No. 61, respectfully report as follows: That Substitute Senate Bill No. 61 be concurred in.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be concurred in.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Trans-

portation having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be concurred in.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, recommend as follows:

That the index to the House Rules be amended to read as follows:

INDEX TO HOUSE RULES  
Thirty-First Legislative Assembly  
(See also Index to Joint Rules)

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That a table of contents be inserted in the Rules of the House and Joint Rules of Senate and House of Representatives, on Page 2 thereof, to read as follows:

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That Rule 52 be amended to read as follows:	

#### “READING OF PAPERS

“When the reading of a paper by the clerk other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.”

That Section 2 of Rule 36 be amended to read as follows:

“2. No bills may be introduced after the 35th day, except substitute bills for bills pending and appropriation bills.”

That Rule 62 be stricken and that Rule 58 be amended to read as follows:

## "SUSPENDING AND CHANGING RULES

"Every motion to amend or suspend a rule of the House shall be referred to the Committee on Rules, which committee shall report thereon upon the same day or the next legislative day. Reports of the Committee on Rules shall be adopted by a majority vote. Unless recommended by the Committee on Rules, no rule shall be changed or suspended or any rule adopted except by a two-thirds vote of the House, a quorum being present. The question on the adoption of a report by the Committee on Rules is debatable.

"Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent."

That Section 1 of Rule 9 be amended to read as follows:

## "COMMITTEES,

"1. The Committee on Rules and Joint Rules shall consist of the Speaker and four members to be by him appointed.

"The Speaker shall appoint the following standing committees, to consist of such number of members, not exceeding fifteen, except appropriations committee, as he may elect, unless otherwise specially ordered by the House, viz.:

1. Affairs of Cities.
2. Agriculture, Dairying and Horticulture.
3. Appropriations.
4. Aviation.
5. Banking and Insurance.
6. Conservation and Development.
7. Constitutional Amendments and Federal Relations.
8. Education.
9. Employment.
10. Engrossing.
11. Enrolling.
12. Entertainment.
13. Fish and Game.
14. Highways and Highway Transportation.
15. Irrigation and Water Conservation.
16. Journal.
17. Judiciary.
18. Labor.
19. Liquor Control.
20. Livestock and Public Ranges.
21. Military Affairs.
22. Mines and Mining.
23. Oil and Gas.
24. Printing.
25. Privileges and Elections.
26. Public Health, Morals and Safety.
27. Public Utilities and State Commissions.
28. Railroads and Railway Transportation.
29. Ways and Means.
30. Rules and Joint Rules.
31. Seating, Mileage and Per Diem.
32. Social Security.
33. State Boards and Institutions.
34. State Lands, Forests and Parks.
35. Townships and Counties.
36. Workmen's Compensation."

That Section 2 of Rule 11 be amended to read as follows:

"2. In case the members of any committee required or entitled to re-



port on any subject referred to them, cannot agree on a report, the majority and minority of such committee present at the meeting may each make a separate report; and any member dissenting in whole or in part from the reasonings or conclusions of both the majority and minority may also present to the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal, unless otherwise ordered by the House."

And that, as amended, the House Rules of the Thirtieth Legislative Assembly be adopted as the House Rules of the Thirty-First Legislative Assembly.

HENRY LOBLE, Chairman.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill Nos. 43, 58, 107, 235, 259, 299, 300, 301, House Joint Resolution Nos. 2 and 3, and House Joint Memorial No. 4.

JOHN W. BONNER,  
Governor.

Moved by Gunderson that the House reconsider its action of yesterday on Senate Bill No. 58. Carried.

Moved by Gunderson that the House request the return to the House of Senate Bill No. 58 from the Senate. Carried.

House please take notice that the Speaker is about to sign Senate Bill No. 33.

House please take notice that the Speaker is about to sign Senate Bill No. 41.

House please take notice that the Speaker is about to sign Senate Bill No. 42.

House please take notice that the Speaker is about to sign Senate Bill No. 43.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Krieg, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Barnard, Cotton,

Dokken, Duncan, Dwyer, Jensen, Koch, MacDonald, McCarthy, Mernin, O'Neil, Pierce, Taylor, Tierney, Westlake, Wiedman. Total 19.

Senate Bill No. 66 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Bricker, Cotton, Dokken, Domke, Duncan, Dwyer, Ganson, Jensen, MacDonald, McCarthy, Mernin, O'Neil, Pierce, Taylor, Westlake, Wiedman. Total 19.

Senate Bill No. 18 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Hess, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Phillips, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Trout, Van Dyke, Williams, Wilson (Treasure), Working, Mr. Speaker. Total 62.

Noes: Burns, Goodgame, Holding, Peterson, Wilson (Judith Basin). Total 5.

Absent and not voting: Armstrong, Ballard, Blenkner, Cotton, Cunningham, Dokken, Domke, Duncan, Ganson, Hawks, Howard, Jensen, MacDonald, McCarthy, McKenna, Mernin, O'Neil, Pierce, Robertson, Taylor, Tripp, Westlake, Wiedman. Total 23.

Senate Joint Memoial No. 3 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 69.

Noes: Oliver. Total 1.

Absent and not voting: Armstrong, Ballard, Blenkner, Bricker, Cotton, Dokken, Domke, Duncan, Hawks, Jensen, Krieg, MacDonald, McCarthy, Mernin, O'Neil, Phillips, Pierce, Taylor, Westlake, Wiedman. Total 20.

Senate Joint Memorial No. 2 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill),

Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, O'Neil, Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Clark (Musselshell), Cotton, Dokken, Domke, Esp, Hawks, Jensen, Krieg, MacDonald, McCarthy, Mernin, Oliver, Page (Granite), Page (Missoula), Phillips, Pierce, Taylor, Westlake. Total 21.

Senate Amendment to House Bill No. 291 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Michels, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Armstrong, Ballard, Barnard, Blenkner, Cotton, Dokken, Domke, Emmons, Hawks, Jensen, Krieg, MacDonald, McCarthy, Martin, Mernin, Nixon, O'Neil, Phillips, Pierce, Sales, Taylor, Westlake. Total 22.

Senate Amendment to House Bill No. 196 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McKenna, Michels, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 64.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Cotton, Dokken, Domke, Duncan, Harlow, Hawks, Hunter, Jensen, Krieg, MacDonald, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, O'Neil, Phillips, Pierce, Sales, Tierney, Taylor, Westlake. Total 26.

Senate Amendment to House Bill No. 39 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dusak,

Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harpster, Haytin, Hess, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Holding, Mr. Speaker. Total 61.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Cotton, Dokken, Domke, Duncan, Harken, Harlow, Hawks, Hoiness, Jensen, Krieg, MacDonald, McCarthy, Martin, Mernin, Michels, Mulroney, Nixon, O'Neil, Phillips, Pierce, Sales, Taylor, Tierney, Tripp, Westlake. Total 29.

Senate Amendment to House Bill No. 311 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Michels, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Cotton, Dokken, Domke, Harlow, Hoiness, Jensen, Krieg, MacDonald, McCarthy, Martin, Mernin, Nixon, O'Neil, Phillips, Pierce, Sales, Taylor, Tierney, Westlake. Total 22.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

Mr. Speaker appointed Dusak of Cascade to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

Senate Amendment to House Bill No. 156 be concurred in.

Senate Amendment to House Bill No. 260 be concurred in.

Senate Bill No. 53 be concurred in.

Senate Bill No. 37 be concurred in.

Senate Bill No. 39 be concurred in.

House Bill No. 441 do pass.

Senate Bill No. 21 be concurred in.

Senate Bill No. 48 be concurred in.

Senate Bill No. 23 be concurred in.

Senate Bill No. 74 be concurred in.

Senate Bill No. 73 be concurred in.

Senate Bill No. 38 be concurred in.

Senate Substitute for Senate Bill No. 7 be concurred in.

Senate Bill No. 110 be concurred in.

JOHN F. DUSAK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 72, 74, 88, 96, 97, 98, 99, 100, 102, 104, 132, 153, 154, 200, 202, 210, 211, 219, 224, 240 and 411 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:55 o'clock A. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Moved by Loble that the House recess until 2:00 P. M. this day.

House resumed.

Received from the Engrossing Committee House Bill No. 441 considered correctly engrossed.

VAN DYKE.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game having had under consideration Senate Bill No. 56 respectfully report as follows: That Senate Bill No. 56 be concurred in.

##### COMMITTEE ON FISH AND GAME.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration Senate Bill No. 45 respectfully report as follows: That Senate Bill No. 45 be concurred in.

##### COMMITTEE ON FISH AND GAME.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration Senate Bill No. 95 respectfully report as follows: That Senate Bill No. 95 be concurred in.

##### COMMITTEE ON FISH AND GAME.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 47 respectfully report as follows: That Senate Bill No. 47 be amended as follows: In line 11 of the original typewritten bill, in Section 1, following the word "vessel" insert the word "or," and as amended recommend that the bill be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 65 respectfully report as follows: That Senate Bill No. 65 be amended as follows: In Section 1, line 21, following the second word "State," of the original typewritten bill, insert the following words: "after the primary election and" amend further in line 24 following the second word "filed," by inserting the following words: "after the



primary election and" and as amended recommend that the bill be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 75 respectfully report as follows: That Senate Bill No. 75 be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 76 respectfully report as follows: That Senate Bill No. 76 be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 77 respectfully report as follows: That Senate Bill No. 77 be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 111 respectfully report as follows: That Senate Bill No. 111 be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration Senate Joint Memorial No. 6 respectfully report as follows: That Senate Joint Memorial No. 6 be concurred in.

PETERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance having had under consideration Senate Bill No. 70 respectfully report as follows: That Senate Bill No. 70 be not concurred in.

CLARK (Silver Bow), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 46 respectfully report as follows: That Senate Bill No. 46 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 100 respectfully report as follows: That Senate Bill No. 100 be concurred in.

BECK, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 22, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House measures have this day been acted upon as follows:

House Bill No. 101 by Burns et al, concurred in as amended.

House Bill No. 320 by Hoiness et al, not concurred in.

House Joint Memorial No. 9 by Loble and Burns, concurred in.  
House Joint Memorial No. 6 by Hawks et al, concurred in.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 441 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Holding, Hoiness, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, Martin, Mernin, Mulroney, Nixon, Oliver, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 65.

Noes: Page (Granite). Total 1.

Absent and not voting: Armstrong, Aronow, Ballard, Corcoran, Cotton, Duncan, Dwyer, Ganson, Gunderson, Hall, Haytin, Hess, Holtz, Howard, Jensen, MacDonald, McElwain, McKenna, Michels, O'Neil, Sales, Tierney, Van Dyke, Working. Total 24.

Senate Amendment to House Bill No. 156 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Emmons, Foley, Frerich, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Holding, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 66.

Noes: Brenner, Esp. Total 2.

Absent and not voting: Armstrong, Ballard, Corcoran, Cotton, Domke, Duncan, Dwyer, Ewing, Gunderson, Hall, Haytin, Hess, Hunter, Jensen, Krieg, MacDonald, McElwain, McKenna, Martin, Michels, Tierney, Working. Total 22.

Senate Amendment to House Bill No. 260 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, Mernin,

Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Rostad, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 64.

Noes: None.

Absent and not voting: Armstrong, Ballard, Corcoran, Cotton, Domke, Duncan, Dwyer, Emmons, Hall, Haytin, Hess, Jensen, Krieg, MacDonald, McElwain, McKenna, Martin, Michels, Nixon, Pierce, Sales, Scofield, Taber, Taylor, Tierney, Working. Total 26.

Senate Bill No. 53 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 64.

Noes: Brenner, Frerich, Scofield, Standish. Total 4.

Absent and not voting: Armstrong, Ballard, Barnard, Corcoran, Cotton, Duncan, Dwyer, Esp, Hall, Haytin, Hess, Jensen, MacDonald, McElwain, McKenna, Martin, Michels, Phillips, Taylor, Tierney, Wiedman, Working. Total 22.

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, Martin, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 64.

Noes: Holding, Peterson. Total 2.

Absent and not voting: Armstrong, Ballard, Barnard, Corcoran, Cotton, Duncan, Dwyer, Hall, Harpster, Haytin, Hess, Jensen, MacDonald, McElwain, McKenna, Mernin, Michels, O'Neil, Phillips, Taylor, Tierney, Westlake, Wiedman, Working. Total 24.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Dusak, Ewing, Foley, Goodgame, Gunderson, Harken, Harlow, Harpster, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, Mulroney, Nixon, O'Neil, Page (Granite), Peters, Peterson, Robertson, Sales, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 47.

Noes: Blenkner, Brenner, Duppler, Emmons, Esp, Frerich, Gebhardt,

Hawks, Oliver, Page (Missoula), Phillips, Pierce, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Wiedman. Total 20.

Absent and not voting: Armstrong, Ballard, Barnard, Corcoran, Cotton, Cunningham, Domke, Duncan, Dwyer, Ganson, Hall, Haytin, Jarussi, Jensen, MacDonald, McElwain, McKenna, Martin, Mernin, Michels, Tierney, Westlake, Working. Total 23.

Senate Bill No. 21 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Culbertson, Cunningham, Dokken, Domke, Dupler, Dusak, Esp, Ewing, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Harpster, Hawks, Hess, Holtz, Jarussi, Karlberg, Koch, Krieg, Laas, Loughran, McCarthy, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Wilson (Treasure), Wilson (Judith Basin). Total 54.

Noes: Aronow, Clark (Silver Bow), Emmons, Frerich, Goodgame, Holding, Loble, Martin, Robertson, Smith, Van Dyke, Wiedman, Mr. Speaker. Total 13.

Absent and not voting: Armstrong, Ballard, Barnard, Corcoran, Cotton, Duncan, Dwyer, Hall, Haytin, Hoiness, Howard, Hunter, Jensen, MacDonald, McElwain, McKenna, Mernin, Michels, Rostad, Tierney, Westlake, Williams, Working. Total 23.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Culbertson, Dokken, Dusak, Emmons, Esp, Gebhardt, Harken, Harpster, Hawks, Hoiness, Holtz, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, McCarthy, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Trout, Van Dyke, Williams, Mr. Speaker. Total 45.

Noes: Anderson (Hill), Aronow, Brenner, Domke, Dupler, Foley, Ganson, Goodgame, Gunderson, Harlow, Holding, Hess, Karlberg, Nixon, Oliver, Peterson, Robertson, Tripp, Wilson (Judith Basin). Total 19.

Absent and not voting: Armstrong, Ballard, Barnard, Clark (Silver Bow), Corcoran, Cotton, Cunningham, Duncan, Dwyer, Ewing, Frerich, Hall, Haytin, Jensen, MacDonald, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Tierney, Westlake, Wiedman, Wilson (Treasure), Working. Total 26.

House please take notice that the Speaker is about to sign House Bill No. 60.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: Nos. 60, 197, 205, 246, 247, 257, 280, 392, 410.

WIEDMAN, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

NIXON, Chairman.

Report adopted.

House please take notice that the Speaker is about to sign House Bill No. 60.

I have examined House Bill No. 60 introduced by me and find the same to be correct.

CLARK (Musselshell), Chairman  
Committee on Livestock and  
Public Ranges.

House please take notice that the Speaker is about to sign House Bill No. 197.

I have examined House Bill No. 197 introduced by me and find the same to be correct.

SALES.

House please take notice that the Speaker is about to sign House Bill No. 205.

I have examined House Bill No. 205 introduced by me and find the same to be correct.

HOINESS.

House please take notice that the Speaker is about to sign House Bill No. 246.

I have examined House Bill No. 246 introduced by me and find the same to be correct.

PAGE (Missoula).

House please take notice that the Speaker is about to sign House Bill No. 247.

I have examined House Bill No. 247 introduced by me and find the same to be correct.

PAGE (Missoula).

House please take notice that the Speaker is about to sign House Bill No. 257.

I have examined House Bill No. 257 introduced by me and find the same to be correct.

HUNTER.

House please take notice that the Speaker is about to sign House Bill No. 280.

I have examined House Bill No. 280 introduced by me and find the same to be correct.

FOLEY.

House please take notice that the Speaker is about to sign House Bill No. 392.

I have examined House Bill No. 392 introduced by me and find the same to be correct.

TRIPP.

House please take notice that the Speaker is about to sign House Bill No. 410.

I have examined House Bill No. 410 introduced by me and find the same to be correct.

GANSON.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 442 and 444 have been returned correctly printed.

O'NEIL, Chairman.



Moved by Loble that the House adjourn until 10:00 A. M., Wednesday, February 23, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.  
Chief Clerk.

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## FIFTY-SECOND LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 23, 1949.

House convened.

Mr. Speaker in chair. Invocation by Chaplain.

On roll call all members were present except Ballard, Cunningham, Gebhardt, Jensen, Martin and Tierney, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Fifty-First Legislative Day and find the same correct.

HOLTZ, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 35, respectfully report as follows: That Senate Bill No. 35 be concurred in.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be concurred in.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be amended as follows:

That in Section 7, line 99, page 6 of the printed bill and Section 7, line 29, page 9 of the original bill, following the word, "March," strike out the words, "of the year of its issue."

And further, that in Section 16, line 31, page 15 of the original bill and Section 16, lines 2 and 3, page 10 of the printed bill, after the word, "shall," strike out the words, "within thirty days after licenses are issued," and insert in lieu thereof, the word, "annually."

And that, as amended, the bill be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Substitute Senate Bill No. 15, respectfully report as follows: That Substitute Senate Bill No. 15 be not concurred in.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130

Be amended in the title, page 1, in line 24 of the original bill, and in line 21 of the printed bill, by inserting, after the numerals, "1943," the words, "and sections,"

And further be amended, in line 25, page 1 of the title in the original bill; and in line 21, page 1 of the title in the printed bill, by striking out the numerals, "1568"

And in Section 13, line 27, page 8 of the original bill, and in Section 13, line 2, page 5 of the printed bill, after the numerals "1943," inserting the words, "and sections," and striking out in the same line, between the numerals, "1567," and "1569," the numerals, "1568."

And that, as amended, the Senate Bill No. 130 be concurred in.

HESS, Chairman.

Report adopted.

Duncan requested permission to introduce without previous notice appropriation bills covering expenses of the state government.

### INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to committees.

House Bill No. 445, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the general fund for the support and maintenance of certain institutions for the year ending June 30, 1949, the appropriation made by the Thirtieth Legislative Assembly having been found to be insufficient." Referred to Committee on Appropriations.

House Bill No. 446, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain obligations incurred by the Supreme Court under the provisions of Sections 378 to 384 inclusive and Section 283.1 of the Revised Codes of Montana of 1935, as amended, it having been determined that the appropriations made by the Thirtieth Legislative Assembly were insufficient." Referred to Committee on Appropriations.

### CONSIDERATION OF MESSAGES FROM THE SENATE

February 22, 1949.

Mr. Speaker: I am directed by the Senate to inform your honorable body that the Senate this day acceded to the request of the House for the return of Senate Bill No. 58 for further consideration and the same is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 22, 1949.

Mr. Speaker: I am directed by the Senate to inform your honorable body that the following House bill was this day recommended for non-concurrence by the Education Committee; report adopted, and the bill is herewith returned to the House:

House Bill No. 419 by Harlow by request.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Loble that Senate Bill No. 58 be taken from Third Reading and be placed on General Orders. Carried.

Moved by Tripp that consideration of substitute for Senate Bill No. 61 on General Orders be passed for three days. Motion lost.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 443 has been returned correctly printed.

O'NEIL, Chairman.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Goodgame, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mu roney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Beck, Bricker, Cunningham, Duncan, Dusak, Emmons, Ganson, Gebhardt, Gunderson, Hall, Harpster, Hess, Holtz, Jensen, Krieg, Martin, Nixon, Tierney, Wiedman, Working. Total 23.

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Goodgame, Harken, Harlow, Hawks, Haytin, He'ding, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedamn, Williams, Wilson (Treasure), Wilson (Judith Basin), Anderson (Hill), Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Armstrong, Ballard, Barnard, Bricker, Cunningham, Domke, Duncan, Emmons, Ganson, Gebhardt, Gunderson, Hall, Harpster, Hess, Holtz, Jensen, Krieg, MacDonald, Martin, Tierney, Working. Total 21.

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Armstrong, Ballard, Bricker, Cunningham, Duncan, Emmons, Ganson, Gebhardt, Hall, Harpster, Hess, Hoiness, Jensen, MacDonald, Martin, Tierney, Working. Total 17.

Senate Bill No. 38 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Esp, Ewing, Foley, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 62.

Noes: Andersen (Richland), Frerich, Oliver, Phillips, Pierce, Sales, Skibby, Taber, Taylor. Total 9.

Absent and not voting: Armstrong, Ballard, Cunningham, Duncan, Dwyer, Emmons, Ganson, Gebhardt, Hall, Harpster, Hess, Hoiness, Jarussi, Jensen, MacDonald, Martin, Nixon, Tierney, Westlake. Total 19.

Substitute Senate Bill No. 7 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barrard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Smith, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 67.

Noes: Koch, Oliver, Sales, Scofield, Standish, Taber, Taylor, Wiedman. Total 8.

Absent and not voting: Armstrong, Ballard, Cunningham, Duncan, Emmons, Ganson, Gebhardt, Hall, Harlow, Hunter, Jensen, MacDonald, Martin, Skibby, Tierney. Total 15.

Senate Bill No. 110 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Duncan, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Armstrong, Ballard, Cotton, Cunningham, Domke, Emmons, Ganson, Gebhardt, Hall, Harlow, Hess, Jensen, MacDonald, Martin, Tierney. Total 15.

Duncan asked for unanimous consent to introduce an appropriations bill without previous notice.

The following bill was introduced, read first and second times at length, and referred to committee:

House Bill No. 447, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and substations, Extension Service, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana Normal School at Billings, and Northern Montana College at Havre, and for student fare refunds for the period beginning July 1, 1949 and ending June 30, 1951." Referred to Committee on Appropriations.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Clark of Silver Bow to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend that:

House Bill No. 442 do pass.

House Bill No. 444 do pass.

Senate amendments to House Bill No. 101 be concurred in.

Senate Bill No. 115 be concurred in.

Senate substitute for Senate Bill No. 61 be re-referred to the Committee on Judiciary.

Senate Bill No. 112 be concurred in.

Senate Bill No. 127 be not concurred in.

Senate Bill No. 65 be concurred in.

Report adopted. CLARK (Silver Bow). Chairman.



Moved by Loble that the House recess until 2:00 P. M. this day.

House resumed.

Received from the Engrossing Committee House Bill No. 442 considered correctly engrossed and House Bill No. 444 engrossed.

VAN DYKE, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

MICHELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control having had under consideration Senate Joint Memorial No. 7, respectfully report as follows: That Senate Joint Memorial No. 7 be concurred in.

MICHELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44

Be amended by striking out the last four words of the title "Beaver on Public Lands," and adding in lieu thereof the following words: "Reduce and control beaver on public lands by entering into cooperative agreements with public land administrators, licensed trappers, to define trapper units, placing a limit on numbers of beaver removed, and providing for disposition of pelts," be further amended in Section 1, by striking out in line 8 of the original typewritten bill, after the following words: "authority to" and adding in lieu thereof the following words: "establish beaver management units along the waters of such public lands, to select qualified licensed trappers to trap beaver from such units and to enter into cooperative agreements with the agency administering such lands and with the trapper assigned to each unit. The cooperative agreement shall designate the boundaries of such management units and shall by supplement designate the number of beaver which may be removed from time to time as prescribed by the commission in writing and shall designate the percent of the beaver pelts not to exceed fifty percent (50%) which shall be retained by the commission to defray administrative costs and shall state such other rules and regulations as the commission shall prescribe relative to removal of beaver, care of pelts, tagging and division of pelts. All beaver trapped under such agreements shall be subject to the trapping regulations as provided for in Section 3722, R. C. M. 1935, as amended by Section 15 of Chapter 224, Laws of 1947, and shall be sold within the State of Montana. The management units established by the commission as provided for in this act shall be limited in size according to habitat so that not to exceed fifty (50) beaver shall be removed annually per unit. Any trapper selected to trap such management units as herein provided shall be limited to the trapping of one such unit." and as so amended Senate Bill No. 44 be concurred in.

EWING, Vice-Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Blenkner that we indefinitely postpone consideration of Senate Bill No. 127 now on General Orders. Carried.

## THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Corcoran, Culbertson, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Karlberg, Koch, Laas, Loughran, McCarthy, McElwain, Michels, Mulroney, Nixon, Oliver, O'Neil, Peterson, Phillips, Robertson, Rostad, Scofield, Smith, Taber, Wiedman, Williams, Wilson (Treasure), Working, Mr. Speaker. Total 55.

Noes: Hoiness, Krieg, Loble, Page (Granite), Pierce, Sales, Skibby, Standish, Tripp, Trout, Van Dyke, Wilson (Judith Basin). Total 12.

Absent and not voting: Armstrong, Ballard, Barnard, Clark (Musselshell), Cotton, Cunningham, Dokken, Duncan, Dusak, Emmons, Hall, Hess, Jarussi, Jensen, MacDonald, McKenna, Martin, Mernin, Page (Missoula), Peters, Taylor, Tierney, Westlake. Total 23.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Bricker, Burns, Culbertson, Domke, Duppler, Ganson, Goodgame, Gunderson, Harlow, Harpster, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Karlberg, Koch, Laas, McElwain, Michels, Nixon, Peterson, Pierce, Robertson, Sales, Standish, Trout, Van Dyke, Williams, Mr. Speaker. Total 37.

Noes: Aronow, Brenner, Clark (Silver Bow), Corcoran, Dwyer, Esp, Ewing, Foley, Frerich, Gebhardt, Hall, Harken, Hoiness, Krieg, Loble, Loughran, McCarthy, McKenna, Mernin, Mulroney, Oliver, O'Neil, Page (Granite), Phillips, Rostad, Scofield, Skibby, Smith, Taber, Tripp, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Working. Total 34.

Absent and not voting: Armstrong, Ballard, Clark (Musselshell), Cotton, Cunningham, Dokken, Duncan, Dusak, Emmons, Hess, Jarussi, Jensen, MacDonald, Martin, Page (Missoula), Peters, Taylor, Tierney, Westlake. Total 19.

House please take notice that the Speaker is about to sign Senate Joint Memorial No. 3.

House please take notice that the Speaker is about to sign Senate Bill No. 55.

House please take notice that the Speaker is about to sign Senate Bill No. 24.

House please take notice that the Speaker is about to sign Senate Bill No. 18.

House please take notice that the Speaker is about to sign Senate Bill No. 54.

House please take notice that the Speaker is about to sign Senate Bill No. 51.

House please take notice that the Speaker is about to sign Senate Bill No. 28.

House please take notice that the Speaker is about to sign Senate Joint Memorial No. 1.

House please take notice that the Speaker is about to sign Senate Joint Memorial No. 2.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriations measures having been read at length:

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Blenkner, Brenner, Bricker, Clark (Silver Bow), Corcoran, Domke, Duppler, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Hawks, Hoiness, Howard, Krieg, Loughran, McElwain, Mulrone, Oliver, Page (Granite), Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Wiedman, Working, Wilson (Treasure), Mr. Speaker. Total 41.

Noes: Anderson (Hill), Barnard, Beck, Burns, Culbertson, Ewing, Goodgame, Harlow, Harpster, Haytin, Holding, Holtz, Hunter, Karlberg, Koch, Laas, Loble, McCarthy, McKenna, Mernin, Michels, Nixon, O'Neil, Robertson, Smith, Tripp, Trout, Van Dyke, Williams, Wilson (Judith Basin). Total 30.

Absent and not voting: Armstrong, Ballard, Clark (Musselshell), Cotton, Cunningham, Dokken, Duncan, Dusak, Emmons, Hess, Jarussi, Jensen, MacDonald, Martin, Page (Missoula), Peters, Taylor, Tierney, Westlake. Total 19.

Senate amendments to House Bill No. 101 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Domke, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Armstrong, Ballard, Cotton, Cunningham, Dokken, Duncan, Dusak, Emmons, Hess, Jarussi, Jensen, Martin, Page (Missoula), Peters, Taylor, Tierney, Beck, Westlake. Total 18.

House Bill No. 442 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken,

Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Krieg, Laas, Loble, Loughran, McElwain, McKenna, Mernin, Michels, Mulroney, Nixon, O Neil, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 65.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Corcoran, Cunningham, Duncan, Dusak, Emmons, Esp, Harpster, Hess, Howard, Jensen, Koch, MacDonald, McCarthy, Martin, Brenner, Oliver, Page (Missoula), Peters, Scofield, Taylor, Tierney, Westlake. Total 25.

House Bill No. 444 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Dokken, Duppler, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McElwain, McKenna, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Bricker, Corcoran, Cotton, Cunningham, Domke, Duncan, Dusak, Emmons, Hess, Howard, Jensen, MacDonald, McCarthy, Martin, Mulroney, Page (Missoula), Peters, Scofield, Taylor, Tierney. Total 23.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Ganson of Prairie to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

Senate Bill No. 45 be concurred in—motion lost.

Senate Bill No. 47 be concurred in.

Senate Bill No. 111 be concurred in.

Senate Bill No. 100 be concurred in.

Senate Bill No. 56 be concurred in.

Senate Bill No. 95 be concurred in.

Senate Bill No. 75 be concurred in.

Senate Bill No. 76 be concurred in.

Senate Bill No. 77 be concurred in.

Senate Bill No. 46 be concurred in.

Senate Joint Memorial No. 6 be concurred in.

Senate Bill No. 58 be not concurred in.

Senate Bill No. 99 be concurred in—motion lost.

Senate Bill No. 130 be concurred in.

Senate Joint Memorial No. 4 be concurred in.

Senate Bill No. 35 be concurred in

Senate Bill No. 122 be concurred in.

GANSON, Chairman.

Report adopted.

Moved by Aronow that Senate Bill No. 99 be segregated from the report of the Committee of the Whole.

Substitute motion by Blenkner that further consideration of Senate Bill No. 99 be indefinitely postponed.

Moved by Burns that Senate Bill No. 58 be segregated from the report of the Committee of the Whole. A roll call vote being demanded, but there being an insufficient number of seconds this demand lost.

Loble stated that the two first motions were out of order and the motion of Burns on Senate Bill No. 58 is the only motion before the House. Sustained by Chair.

Motion lost and division called for. Motion on division count lost.

Ganson moved that the report of the Committee of the Whole be adopted. Carried.

#### MOTIONS AND RESOLUTIONS

Moved by Anderson (Phillips) that we be on Order of Business No. 6. Chairman referred this motion to the Committee on Rules.

House please take notice that the Speaker is about to sign Senate Bill No. 53.

House please take notice that the Speaker is about to sign Senate Bill No. 39.

House please take notice that the Speaker is about to sign Senate Bill No. 37.

House please take notice that the Speaker is about to sign Senate Bill No. 21.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill Nos. 39, 95, 156, 171, 181, 196, 260, 291, 311 and House Joint Memorial No. 6 and 9.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 39.

I have examined House Bill No. 39 introduced by me and find the same to be correct.

STANDISH.

House please take notice that the Speaker is about to sign House Bill No. 95.



I have examined House Bill No. 95 introduced by me and find the same to be correct.

McKENNA, Chairman,  
Social Security Committee. ..

House please take notice that the Speaker is about to sign House Bill No. 156.

I have examined House Bill No. 156 introduced by me and find the same to be correct.

WESTLAKE.

House please take notice that the Speaker is about to sign House Bill No. 171.

I have examined House Bill No. 171 introduced by me and find the same to be correct.

HARLOW.

House please take notice that the Speaker is about to sign House Bill No. 181.

I have examined House Bill No. 181 introduced by me and find the same to be correct.

McELWAIN.

House please take notice that the Speaker is about to sign House Bill No. 196.

I have examined House Bill No. 196 introduced by me and find the same to be correct.

BURNS.

House please take notice that the Speaker is about to sign House Bill No. 260.

I have examined House Bill No. 260 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Appropriations Committee.

House please take notice that the Speaker is about to sign House Bill No. 291.

I have examined House Bill No. 291 introduced by me and find the same to be correct.

WILLIAMS.

House please take notice that the Speaker is about to sign House Bill No. 311.

I have examined House Bill No. 311 introduced by me and find the same to be correct.

HARKEN.

House please take notice that the Speaker is about to sign House Joint Memorial No. 6.

I have examined House Joint Memorial No. 6 introduced by me and find the same to be correct.

HAWKS.

House please take notice that the Speaker is about to sign House Joint Memorial No. 9.

I have examined House Joint Memorial No. 9 introduced by me and find the same to be correct.

LOBLE.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Substitute for Senate Bill No. 61, respectfully report as follows: That Senate Substitute for Senate Bill No. 61 be amended as follows:

On page 2 section 5, line 4 of the printed bill, after the word "provided" strike out the rest of the section completely and insert in lieu thereof the following: "a majority of the votes cast on this issue are against the operation of slot machines, and if a majority of the votes so cast are for the operation of slot machines, the act shall be in effect on said date as to Sections 8 to 15, inclusive."

Page 3, of the printed bill, Section 15, strike in lines 1 and 2, the words "if such local option election in any county receives a majority vote of all those voting in such election, as hereinabove provided," and insert the following:

"If a majority of the votes cast in any such local option election, as hereinabove provided are"

and as amended recommend that the bill be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Memorial No. 5, respectfully report as follows: That Senate Joint Memorial No. 5 be not concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be not concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be amended as follows:

In the title, lines 5, 6, 7, of the original typewritten bill, strike out the words: "Chapter 80, Session Laws of Montana, 1937, as it was added by Section 2 of Chapter 50, Session Laws of Montana, 1939, and as said section was amended by Section 2"

Amend further in line 13, following the word "follows" and semicolon by inserting the word and figure "Section 3"

Amend further on page 2, in line 7, Section 2, by striking the number

"1" which follows the word "Section" and inserting in lieu thereof the numbers and the letter "12A"; amend further in Section 2, line 8, after the word "be" and before the word "amended" by inserting the following "and the same is hereby;"

Amend further by striking lines 9, 10, 11, 12 and 13 completely;

And as amended recommend that the bill be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 23, 1949.

Mr. Speaker: I am directed by the Senate to inform your honorable body that the following measures were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Joint Resolution No. 4 by Loble et al.

House Bill No. 22 by McCarthy et al.

House Bill No. 387 by Appropriations Committee.

House Bill No. 258 by Hunter.

House Bill No. 234 by Appropriations Committee.

House Bill No. 339 by Aronow and Dwyer.

House Bill No. 239 by Sales et al.

Substitute House Bill No. 111 by Committee on Conservation of Resources.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble that the House adjourn until 10:00 A. M. Thursday, February 24, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.  
Chief Clerk.

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## FIFTY-THIRD LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 24, 1949.

House convened.

Mr. Speaker in chair. Invocation by Chaplain.

On roll call, all members were present except Ballard, Bricker, Corcoran, McKenna, Michels, Standish, Tierney, excused, and Dokken and Jensen, absent.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the Fifty-Second Legislative Day and find the same correct.

HOLTZ, Chairman.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, you Committee on Appropriations, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 be amended as follows:

Amend Section 2 thereof by striking out in lines 18 and 19 on page 9, the words and figures: "one hundred and one thousand seven hundred and seventy five dollars—\$101,775.00," and inserting in lieu thereof the words and figures: "one hundred forty-seven thousand five hundred dollars—\$147,500.00"; and by striking out line 32 on page 9, and lines 1, 2, 3, on page 10; and

And by striking out in lines 18 and 19 on page 10, the words and figures—"one hundred thirty three thousand six hundred and ninety four dollars—\$133,694.00," and inserting in lieu thereof the words and figures: "one hundred ninety three thousand seven hundred sixty dollars—\$193,760.00;"

and by striking out line 32 on page 10, and lines 1, 2, and 3 on page 11.

And amend Section 3 thereof by striking out in lines 22 and 23 on page 16, the words and figures: "seventy thousand nine hundred and thirty dollars—\$70,930.00," and inserting in lieu thereof the words and figures: "one hundred twelve thousand five hundred eight-eight dollars—\$112,588.00;" and by striking out lines 4, 5, 6, and 7 on page 17.

And by striking out in lines 13 and 14 of page 17, the words and figures "ninety seven thousand three hundred and thirty five dollars—\$97,335.00," and inserting in lieu thereof the words and figures "one hundred fifty four thousand five hundred dollars—\$154,500.00;" and by striking out lines 27, 28, 29 and 30 on page 17.

And, as so amended, House Bill No. 447 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

EMMONS, Chairman.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 23, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill Nos. 219, 233, and 410.

JOHN W. BONNER,  
Governor.

### CONSIDERATION OF MESSAGES FROM THE SENATE

February 23, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the

following House bills were this day recommended for non concurrence by committee action, reports adopted, and the bills are herewith returned to the House.

House Bill No. 319 by Barnard et al—Majority report of Finance and Claims Committee.

House Bill No. 435 by Domke and Jensen—Finance and Claims.

House Bill No. 213 by Jarussi—Judiciary.

House Bill No. 285 by Jarussi, Dokken—Judiciary.

House Bill No. 355 by Blenkner—Judiciary.

House Bill No. 308 by Committee on Liquor Control—Business Administration Committee.

House Bill No. 404 by Hoiness, McElwain—Business Administration Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 24, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day acceded to the request of the House for the return of Senate Substitute for Senate Bill No. 15 for further consideration and the same is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 24, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day on motion, requests the House to return House Bill No. 435 for further consideration.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### MOTIONS AND RESOLUTIONS

Moved by Aronow that the House indefinitely postpone Senate Bill No. 99. Speaker declared the mover out of order.

Moved by Brenner that the House reconsider its action of yesterday in adopting an adverse committee report by the Committee on State Lands with reference to Substitute Senate Bill No. 15. Carried.

Moved by Brenner that Substitute Senate Bill No. 15 be re-referred to the Committee on State Lands. Carried.

Moved by Koch that Senate Bill No. 99 be taken from General Orders and be re-referred to the Committee on Judiciary.

Substitute motion by Mernin that Senate Bill No. 99 be laid on the table. Carried.



Moved by Brenner that the House request the Senate to return to the House Substitute Senate Bill No. 15. Carried.

Moved by Page (Granite) that Senate Bill No. 45 be taken from General Orders and be re-referred to the Committee on Judiciary. Carried.

Moved by Goodgame that consideration of Senate Bill No. 44 be passed for the day. Carried.

Duncan of Jefferson asked unanimous consent of the House to introduce an appropriation bill covering expenses of the state government without previous notice.

### INTRODUCTION OF HOUSE BILLS

House Bill No. 448, introduced by Committee on Appropriations, was read first and second times at length and referred to the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for State Department of Public Welfare of the State of Montana for Public Assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1949 and terminating with June 30, 1951."

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Joint Memorial No. 4, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Ballard, Beck, Bricker, Corcoran, Cotton, Dokken, Duncan, Gebhardt, Gunderson, Hall, Harpster, Jensen, MacDonald, McKenna, Mernin, Michels, Page (Granite), Scofield, Standish, Taylor and Tierney. Total 21.

Senate Bill No. 130, was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Burns, Clark (Silver Bow), Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Holding, Hess, Holtz, Howard, Jarussi, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Skibby, Smith, Taber, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 62.

Noes: Andersen (Richland), Clark (Musselshell), Haytin, Hunter, Page (Granite), and Van Dyke. Total 6.

Absent and not voting: Ballard, Brenner, Bricker, Corcoran, Cotton, Cunningham, Duncan, Esp, Ganson, Gunderson, Hall, Hoiness, Jensen, Karlberg, MacDonald, McKenna, Michels, Scofield, Standish, Taylor, Tierney and Westlake. Total 22.

Senate Bill No. 35, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Brenner, Burns, Clark (Musselshell), Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Frerich, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 66.

Noes: None.

Absent and not voting: Ballard, Barnard, Blenkner, Clark (Silver Bow), Corcoran, Cunningham, Duncan, Foley, Ganson, Gebhardt, Gunderson, Hall, Hoiness, Jensen, Krieg, MacDonald, McKenna, Martin, Michels, Phillips, Standish, Tierney, Bricker and Wiedman. Total 24.

Senate Bill No. 122, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Cotton, Dokken, Domke, Duncan, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dwyer, Gebhardt, Holtz, Jensen, Krieg, MacDonald, McKenna, Martin, Mernin, Michels, Phillips, Standish, Tierney and Wiedman. Total 22.

Senate Bill No. 56, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Clark (Silver Bow), Corcoran, Cunningham, Duncan, Dwyer, Gunderson, Holtz, Jensen, Krieg, MacDonald, McKenna, Martin, Michels, Phillips, Pierce, Standish, Tierney and Wiedman. Total 21.

Senate Bill No. 75 was concurred in by the following vote:

Ayes: Andersen (Richland), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 69.

Noes: Frerich. Total 1.

Absent and not voting: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Ballard, Bricker, Corcoran, Duncan, Duppler, Dwyer, Holtz, Jensen, MacDonald, McKenna, Martin, Mernin, Michels, Standish, Tierney and Wiedman. Total 20.

Senate Bill No. 95 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Blenkner, Brenner, Burns, Clark (Musselshell), Cotton, Domke, Dusak, Dwyer, Emmons, Esp, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Haytin, Hess, Hoiness, Howard, Koch, Loble, Loughran, McElwain, Mulroney, Nixon, O'Neil, Page (Missoula), Pe.ers, Peterson, Pierce, Robertson, Scofield, Smith, Standish, Taber, Tripp, Trout, Williams and Mr. Speaker. Total 42.

Noes: Armstrong, Beck, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Ewing, Frerich, Goodgame, Hall, Harpster, Hawks, Holding, Hunter, Jarussi, Karlberg, Krieg, Laas, McCarthy, Mar.in, Mernin, Oliver, Page (Granite), Phillips, Rostad, Sales, Skibby, Taylor, Van Dyke, Westlake, Wilson (Treasure), Wilson (Judith Basin), and Working. Total 34.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Barnard, Bricker, Corcoran, Duncan, Holtz, Jensen, MacDonald, McKenna, Michels, Tierney and Wiedman. Total 14.

Senate Bill No. 76, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, McCarthy, McElwain, Martin, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smi.h, Standish, Taber, Tayler, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 70.

Noes: O'Neil. Total 1.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Corcoran, Cotton, Duncan, Jensen, Loble, Loughran, MacDonald, McKenna, Mernin, Michels, Nixon, Page (Missoula), Rostad, Tierney, Wiedman and Williams. Total 19.

Senate Bill No. 77, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Duppler, Dusak, Dwyer, Emmons, Esp,

Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Krieg, Laas, Loble, McCarthy, McElwain, Mernin, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Bricker, Corcoran, Cotton, Domke, Duncan, Gebhardt, Holding, Jensen, Koch, Loughran, MacDonald, McKenna, Martin, Michels, Mulroney, Sales, Scofield, Tierney, Wiedman and Working. Total 23.

Senate Bill No. 46, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tripp, Trout, Van Dyke, Westlake, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 67.

Noes: Krieg. Total 1.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Corcoran, Cotton, Culbertson, Duncan, Gunderson, Jensen, Koch, MacDonald, McKenna, Mernin, Michels, Mulroney, Page (Missoula), Phillips, Taber, Tierney, Wiedman, Williams and Working. Total 22.

Senate Bill No. 111, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Mernin, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), and Mr. Speaker. Total 69.

Noes: Tripp and Wilson (Judith Basin). Total 2.

Absent and not voting: Anderson (Hill), Ballard, Bricker, Corcoran, Cotton, Duncan, Esp, Goodgame, Jensen, Koch, Krieg, MacDonald, McKenna, Michels, Mulroney, Nixon, Tierney, Wiedman and Working. Total 19.

Senate Bill No. 100, was concurred in by the following vote:

Ayes: Andersen (Richland), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman,



Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 63.

Noes: Anderson (Phillips), Armstrong, Ewing, Holding, Pierce. Total 5.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Bricker, Corcoran, Cotton, Duncan, Esp, Frerich, Ganson, Holz, Jensen, Krieg, MacDonald, McKenna, Martin, Michels, Peterson, Phillips, Taylor, Tierney and Working. Total 22.

Senate Bill No. 47, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Bricker, Corcoran, Cotton, Duncan, Esp, Frerich, Ganson, Jensen, Krieg, MacDonald, McKenna, Mernin, Page (Missoula), Robertson, Sales, Taylor, Tierney, Wiedman and Working. Total 22.

Senate Joint Memorial No. 6, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Domke, Duppler, Dusak, Dwyer, Emmons, Foley, Frerich, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Holz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McElwain, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tripp, Trout, Van Dyke, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 62.

Noes: None.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Bricker, Corcoran, Cotton, Dokken, Duncan, Esp, Ewing, Ganson, Gebhardt, Harlow, Hoiness, Jarussi, Jensen, MacDonald, McCarthy, McKenna, Martin, Mernin, Page (Missoula), Sales, Taylor, Tierney, Westlake, Wiedman, Williams and Working. Total 28.

House please take notice that the Speaker is about to sign Senate Bills Nos. 66, 38, 23, Substitute Senate Bill No. 7, Senate Bills Nos. 73, 110, 74, 112 and 115.

Moved by Loble that the House return to the Senate House Bill No. 435 pursuant to their request. Carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Laas of Liberty to take the chair. Committee arose.



House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Substitute for Senate Bill No. 61 be concurred in.

Senate Bill No. 92 be concurred in.

Senate Bill No. 63 be concurred in.

Senate Bill No. 83 be concurred in.

Senate Joint Memorial No. 7 be concurred in.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 39, 95, 156, 171, 181, 196, 260, 291, 311 and House Joint Memorials No. 6 and 9 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:30 o'clock A. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Moved by Loble that the House recess until 2:00 P. M. this day.

House resumed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be amended as follows:

In section 7, page 2 of the engrossed bill, in line 5, by striking the period after the word, "officials" and inserting a comma and the following words, "or school teachers,"

And that as amended, recommend the bill be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be not concurred in.

BECK, Chairman.

Substitute motion by Page (Granite), that Senate Bill No. 64 be referred to the Committee on Townships and Counties. Carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be not concurred in.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135, be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 45, respectfully report as follows: That Senate Bill No. 45 be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 31, respectfully report as follows: That Senate Bill No. 31 be amended as follows:

In the engrossed bill, line 25, section 1, page 1, strike the word "its" and insert in lieu thereof the words "the mortgagee's"

Amend further on page 2, line 14, section 1, of the engrossed bill, by striking the word "statement" and insert in lieu thereof the words "written notice"

and as amended, recommend that the bill be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30, be amended as follows:

In the engrossed bill, line 26, section 1, page 1, strike the word "its" and insert in lieu thereof the words "the mortgagee's"

Amend further on page 2, line 14, section 1, of the engrossed bill, by striking the word "statement" and insert in lieu thereof the words "written notice"

and as amended recommend that the bill be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, hav-

ing had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be not concurred in.

TRIPP, Chairman.

Substitute motion by Blenkner that Senate Bill No. 72 be placed on General Orders. Motion lost.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 24, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bills Nos. 74, 88, 96, 97, 98, 99, 100, 102, 104, 132, 280 and 411.

JOHN W. BONNER,  
Governor.

Mr. Speaker: We, your Committee on Printing, do hereby report House Bills Nos. 445 and 446 have been returned correctly printed.

O'NEIL, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Peterson that we reconsider our action of yesterday in passing on third reading Senate Bill No. 65. Motion lost.

Moved by Tripp that third reading of Substitute Senate Bill No. 61 be postponed for three days. Motion lost.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Substitute Senate Bill No. 61 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunder-son, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Hol-z, Howard, Hunter, Jarussi, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Oliver, O'Neil, Page (Gran-ite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Sales, Sco-field, Skibby, Smith, Standish, Taber, Trout, Van Dyke, Westlake, Wil-liams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 72.

Noes: Goodgame, Holding, Karlberg, Mulroney, Phillips, Pierce, Taylor and Tripp. Total 8.

Absent and not voting: Andersen (Richland), Ballard, Bricker, Cul-

bertson, Duncan, Jensen, MacDonald, Nixon, Tierney and Wiedman. Total 10.

Senate Bill No. 92, was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Aronow, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Dusak, Dwyer, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Karlberg, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Standish, Taber, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Working. Total 55.

Noes: Andersen (Richland), Beck, Burns, Clark (Musselshell), Cotton, Emmons, Harpster, Hess, Hunter, Koch, Smith, Taylor, Wilson (Judith Basin) and Mr. Speaker. Total 14.

Absent and not voting: Armstrong, Ballard, Barnard, Bricker, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Esp, Gebhardt, Jarussi, Jensen, MacDonald, Martin, Nixon, Phillips, Sales, Tierney and Westlake. Total 21.

Senate Bill No. 63, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Ewing, Foley, Frerich, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Howard, Hunter, Karlberg, Laas, Loble, Loughran, McCarthy, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 62.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Bricker, Corcoran, Dokken, Domke, Duncan, Emmons, Esp, Ganson, Gebhardt, Hall, Hoiness, Jarussi, Jensen, Koch, Krieg, MacDonald, McElwain, McKenna, Nixon, Page (Missoula), Phillips, Sales, Tierney, Van Dyke and Westlake. Total 28.

Senate Bill No. 83, was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Duppler, Dusak, Dwyer, Emmors, Foley, Frerich, Goodgame, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hunter, Karlberg, Laas, Loughran, Michels, Oliver, O'Neil, Page (Granite), Peterson, Pierce, Robertson, Scofield, Smith, Taber, Tripp, Trout, Wilson (Judith Basin) and Mr. Speaker. Total 44.

Noes: Culbertson, Ewing, Gunderson, Hawks, Holtz, Howard, Loble, Martin, Mulroney, Peters, Rostad, Skibby, Standish, Taylor, Van Dyke, Wiedman, Williams and Wilson (Treasure). Total 18.

Absent and not voting: Armstrong, Ballard, Brenner, Bricker, Cunningham, Dokken, Domke, Duncan, Esp, Ganson, Gebhardt, Hoiness, Jarussi, Jensen, Koch, Krieg, MacDonald, McCarthy, McElwain, McKenna, Mernin, Nixon, Page (Missoula), Phillips, Sales, Tierney, Westlake and Working. Total 28.

Senate Joint Memorial No. 7, was concurred in by the following vote:

Ayes. Andersen (Richland), Anderson (Phillips), Aronow, Barnard,

Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Goodgame, Gunderson, Hall, Harken, Harlow, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Karlberg, Laas, Loble, Loughran, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Skibby, Smith, Standish, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 57.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Bricker, Clark (Silver Bow), Dokken, Domke, Duncan, Esp, Frerich, Ganson, Gebhardt, Harpster, Hawks, Jarussi, Jensen, Koch, Krieg, MacDonald, McCarthy, McElwain, Mernin, Nixon, Page (Missoula), Phillips, Sales, Scofield, Taber, Taylor, Tierney, Westlake, Williams and Working. Total 33.

Moved by Loble that the House adjourn until 10:00 A. M. Friday, February 25, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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#### FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 25, 1949.

House convened.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Harlow, Ballard, Jarussi, Loughran, Oliver and Williams, excused.

Mr. Speaker: We, your Committee on the Journal, beg to report that we have examined the Journal for the 53rd Legislative Day and find the same correct.

HOLTZ, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be concurred in.

HARLOW, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

February 24, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate took the following action on House measures this day:

House Bill No. 396 by Bricker and Graybill, recommended for non-concurrence.

House Bill No. 138 by Committee on Revenue and Taxation, recommended for non-concurrence.



House Bill No. 330 by Fish and Game Committee, recommended for non-concurrence.

Substitute House Bill No. 124 by Judiciary Committee, recommended for non-concurrence.

House Bill No. 438 by Appropriations Committee, concurred in as amended.

House Bill No. 386 by Dwyer, concurred in as amended.

House Bill No. 82 by Domke, concurred in as amended.

House Bill No. 231 by Appropriations Committee, concurred in as amended.

House Bill No. 341 by Tierney, concurred in as amended.

House Bill No. 318 by Working, concurred in.

House Bill No. 353 by Dwyer (By request), concurred in.

House Bill No. 248 by Jarussi et al, concurred in.

House Bill No. 183 by Dwyer and McElwain, concurred in.

House Bill No. 302 by Committee on Privileges and Elections, concurred in.

House Bill No. 304 by Harken et al, concurred in.

House Bill No. 223 by Emmons and Smith, concurred in.

House Bill No. 163 by Committee on Revenue and Taxation, concurred in.

House Bill No. 288 by Hoiness, concurred in.

House Bill No. 232 by Appropriations Committee, concurred in.

House Bill No. 261 by Appropriations Committee, concurred in.

House Bill No. 376 by Page of Missoula, concurred in.

House Bill No. 381 by Westlake, concurred in.

House Bill No. 334 by Committee on Livestock and Public Ranges, concurred in.

House Bill No. 333 by Committee on Livestock and Public Ranges, concurred in.

House Bill No. 332 by Committee on Livestock and Public Ranges, concurred in.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

February 24, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, requests the House to return the following House Bills for further consideration.

House Bill No. 213.

House Bill No. 285.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Clark (Silver Bow), that the House request the return from the Senate of Substitute Senate Bill No. 61 which was passed by the House yesterday. Carried.

Moved by Clark (Silver Bow), that Substitute Senate Bill No. 61, when it is returned to the House that it be re-referred to the Committee on Revenue and Taxation. Motion declared out of order.

Moved by Clark (Silver Bow), that the House reconsider its action on Third Reading of yesterday in passing Substitute Senate Bill No. 61.

Moved by Loble that in accordance with the request of the Senate that House Bills Nos. 285 and 213 be returned to the Senate. Carried.

Duncan asked unanimous consent to introduce an Appropriation Bill covering expenses of state government. Granted.

### INTRODUCTION OF BILLS

House Bill No. 449, introduced by Committee on Appropriations, was read first and second times at length, and referred to the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1949, and ending June 30, 1951."

House please take notice that the Speaker is about to sign House Bill No. 22.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 22, 101, Sub. 111, 234, 239, 258, 339, 387 and House Joint Resolution No. 4.

WIEDMAN, Chairman.

I have examined House Bill No. 22 introduced by me and find the same to be correct.

McCARTHY.

House please take notice that the Speaker is about to sign House Bill No. 101.

I have examined House Bill No. 101 introduced by me and find the same to be correct.

BURNS.

House please take notice that the Speaker is about to sign House Bill No. 234.

I have examined House Bill No. 234 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign Substitute House Bill No. 111.

I have examined Substitute House Bill No. 111 introduced by me and find the same to be correct.

GOODGAME.

House please take notice that the Speaker is about to sign House Bill No. 239.

I have examined House Bill No. 239 introduced by me and find the same to be correct.

SALES.

House please take notice that the Speaker is about to sign House Bill No. 258.

I have examined House Bill No. 258 introduced by me and find the same to be correct.

HUNTER.

House please take notice that the Speaker is about to sign House Bill No. 339.

I have examined House Bill No. 339 introduced by me and find the same to be correct.

ARONOW.

House please take notice that the Speaker is about to sign House Joint Resolution No. 4.

I have examined House Joint Resolution No. 4 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 387.

I have examined House Bill No. 387 introduced by me and find the same to be correct.

DUNCAN.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of Business on General Orders under rules of the previous sitting.

Speaker asked Culbertson of Choteau to take the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures recommend:

House Bill No. 443 do pass.

House Bill No. 445 be amended in Section 1 by striking out in line 8 of the printed bill the words: "Eleven Thousand Dollars (\$11,000.00)", and inserting in lieu thereof the words: "Eleven Thousand Nine Hundred Dollars (\$11,900.00)", and as so amended recommend that House Bill No. 445 do pass.

Senate Bill No. 20 be concurred in.

House Bill No. 446 do pass.

Senate Bill No. 44 be not concurred in.

Senate Bill No. 107 be concurred in.

Senate Bill No. 78 be concurred in.

Senate Bill No. 106 be concurred in.

Senate Bill No. 131 be concurred in.

Senate Bill No. 45 be concurred in.

CULBERTSON, Chairman.

Report adopted.

Moved by Aronow that the House reconsider its action of this morning in voting to request the return of Substitute Senate Bill No. 61 from the Senate.

Moved by Mernin for a Call of the House. There being fifteen seconds, the Speaker requested the pages to proceed with a Call of the House.

On Call of the House, the following members were absent: Ballard Gebhardt, Hawks, Jarussi, Laas, McCarthy, Rostad, Sales, Taylor, Tripp, Wiedman and Williams.

Mernin stated that progress having been made that the Call of the House be dispensed with.

Burns moved for a roll call vote and entry in the Journal, there being sufficient number of seconds, the following roll call vote was taken:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Cotton, Culbertson, Duncan, Dusak, Goodgame, Gundersen, Harlow, Harpster, Holding, Hess, Holtz, Jensen, Karlberg, Koch, Krieg, Loble, MacDonald, Michels, Mulroney, Nixon, O'Neil.

Noes: Armstrong, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Hall, Harken, Hawks, Haytin, Hoiness, Howard, Hunter, Jarussi, Laas, Loughran, McElwain, McKenna, Martin, Mernin, Oliver, Page (Granite).

Absent and not voting: Ballard, Gebhardt, McCarthy.

Page of Missoula asked if he might dispense with voting on the grounds that he didn't know what he was voting about, there having been so much confusion on same.

Speaker asked him to vote.

Moved by Bricker that Page (Missoula) be excused from voting because he doesn't know how he wants to vote. Motion lost.

Speaker asked Page (Missoula) to vote.

Ayes: Peterson, Taber, Trout, Van Dyke, Westlake, Wiedman, Wilson (Judith Basin) and Mr. Speaker.

Noes: Page (Missoula), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Wilson (Treasure) and Working.

Absent and not voting: Tripp and Williams.

House please take notice that the Speaker is about to sign Senate Bill No. 4, Senate Joint Memorial No. 6, Senate Joint Memorial No. 7, Senate Bills Nos. 5, 46 and 56.

House please take notice that the Speaker refuses to sign Senate Bill No. 63 because it is not in the proper form.

House please take notice that the Speaker is about to sign Senate Bills Nos. 75, 76, 77, 83, 95, 100, 111 and 122.

Moved by Clark (Silver Bow) that Substitute Senate Bill No. 61 be taken from Third Reading and be re-referred to the Committee on Judiciary. Carried.

Moved by Loble that the House recess until 2:00 P.M. this day.  
House resumed.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 be amended as follows:

Amend Section 2 thereof by striking out in line 15 of page 12, the words and figures: "six hundred thousand dollars . . . \$600,000.00" and inserting in lieu thereof the words and figures: "eight hundred forty-five thousand dollars . . . \$845,000"

And amend Section 3 thereof by striking out in line 11 of page 24, the words and figures: "four hundred thousand dollars . . . \$400,000.00" and inserting in lieu thereof the words and figures: "seven hundred ten thousand dollars . . . \$710,000.00" and as so amended, House Bill No. 449 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railroads and Railroad Transportation, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 do not be concurred in.

COTTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute Senate Bill No. 82, respectfully report as follows: That Substitute Senate Bill No. 82 be not concurred in.

DOMKE, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 25, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill No. 22.

JOHN W. BONNER.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 25, 1949.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House for the return of Senate Substitute for Senate Bill No. 61 for further consideration and the same is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Speaker asked Wiedman of Lake to take the Chair. Committee arose.



House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

Senate Bill No. 135 be concurred in.

Senate Bill No. 126 be concurred in.

Senate Bill No. 31 be concurred in.

Senate Bill No. 30 be concurred in.

Senate Amendments to House Bill No. 438 be passed for the day.

Senate Amendments to House Bill No. 386 be indefinitely postponed.

Senate Amendments to House Bill No. 82 be concurred in.

Senate Amendments to House Bill No. 231 be not concurred in, but that a Conference Committee of three be appointed to meet with a like committee from the Senate.

Senate Amendments to House Bill No. 341 be not concurred in, but that a Conference Committee of three be appointed to meet with a like committee from the Senate.

Senate Bill No. 93 be concurred in.

WIEDMAN, Chairman.

Report adopted.

Speaker announced that he had appointed Cotton, MacDonald and Taylor as the House members on the Conference Committee on Senate Bill No. 231.

Speaker announced that he had appointed Tierney, O'Neil and Bricker as the House members to serve on the Joint Conference Committee on Senate Bill No. 341.

House please take notice that the Speaker is about to sign Senate Bills Nos. 65, 48 and 63.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: 183, 353, 376, 304, 381, 288, 302, 333, Sub. 163, 223, 261 and 232.

HELDING, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 183.

I have examined House Bill No. 183 introduced by me and find the same to be correct.

DWYER.

House please take notice that the Speaker is about to sign House Bill No. 353.

I have examined House Bill No. 353 introduced by me and find the same to be correct.

DWYER.

House please take notice that the Speaker is about to sign House Bill No. 376.

I have examined House Bill No. 376 introduced by me and find the same to be correct.

PAGE (Missoula).

House please take notice that the Speaker is about to sign House Bill No. 304.

I have examined House Bill No. 304 introduced by me and find the same to be correct.

HARKEN.

House please take notice that the Speaker is about to sign House Bill No. 381.

I have examined House Bill No. 381 introduced by me and find the same to be correct.

WESTLAKE.

House please take notice that the Speaker is about to sign House Bill No. 288.

I have examined House Bill No. 288 introduced by me and find the same to be correct.

HOINESS.

House please take notice that the Speaker is about to sign House Bill No. 302.

I have examined House Bill No. 302 introduced by me and find the same to be correct.

MERNIN.

House please take notice that the Speaker is about to sign House Bill No. 333.

I have examined House Bill No. 333 introduced by me and find the same to be correct.

CLARK (Musselshell).

House please take notice that the Speaker is about to sign House Bill No. 223.

I have examined House Bill No. 223 introduced by me and find the same to be correct.

EMMONS.

House please take notice that the Speaker is about to sign Substitute House Bill No. 163.

I have examined Substitute House Bill No. 163 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign House Bill No. 261.

I have examined House Bill No. 261 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 232.

I have examined House Bill No. 232 introduced by me and find the same to be correct.

DUNCAN.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 22, 101, Substitute House Bill No. 111, House Bills Nos. 234, 239, 258, 339, 387 and House Joint Resolution No. 4 do hereby report that said bills, together with a copy thereof, signed by the Speaker

of the House and President of the Senate, were this day, at the hour of 12:15 o'clock, P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 82 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Phillips, Pierce, Rostad, Sales, Skibby, Standish, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 62.

Noes: None.

Absent and not voting: Andersen (Richland), Armstrong, Ballard, Brenner, Cotton, Cunningham, Duncan, Dusak, Ganson, Holding, Hess, Krieg, MacDonald, McCarthy, Mernin, Nixon, Oliver, O'Neil, Peterson, Robertson, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Williams and Working. Total 28.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Pierce, Rostad, Skibby, Standish, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 57.

Noes: None.

Absent and not voting: Andersen (Richland), Armstrong, Ballard, Brenner, Cotton, Duncan, Dusak, Ganson, Harken, Holding, Hess, Hunter, Jensen, Krieg, MacDonald, McCarthy, Martin, Mernin, Nixon, Oliver, O'Neil, Peterson, Phillips, Robertson, Sales, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Williams and Working. Total 33.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Hoiness, Holtz, Howard, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Pierce, Sales, Skibby, Tripp, Trout, Van Dyke, Wiedman, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 53.

Noes: Phillips and Standish. Total 2.

Absent and not voting: Armstrong, Ballard, Brenner, Clark (Musselshell), Cotton, Dokken, Domke, Duncan, Dusak, Frerich, Ganson, Gebhardt, Harken, Holding, Hess, Hunter, Jensen, Krieg, MacDonald, McCarthy, Mernin, Nixon, Oliver, O'Neil, Peterson, Robertson, Rostad, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Williams and Working. Total 35.

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duppler, Dwyer, Emmons, Ewing, Foley, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Martin, Michels, Mulroney, Page (Missoula), Peters, Phillips, Rostad, Skibby, Standish, Tripp, Trout, Van Dyke, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 51.

Noes: Anderson (Phillips), Page (Granite) and Sales. Total 3.

Absent and not voting: Armstrong, Ballard, Brenner, Cotton, Dokken, Domke, Duncan, Dusak, Esp, Frerich, Ganson, Gebhardt, Harken, Holding, Hess, Hoiness, Jensen, Krieg, MacDonald, McCarthy, Mernin, Nixon, Oliver, O'Neil, Peterson, Pierce, Robertson, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Williams and Working. Total 36.

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harlow, Harpster, Haytin, Holding, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, Martin, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Phillips, Rostad, Skibby, Standish, Tripp, Trout, Van Dyke, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 55.

Noes: Blenkner and Sales. Total 2.

Absent and not voting: Armstrong, Ballard, Brenner, Cotton, Dokken, Dusak, Gebhardt, Harken, Hawks, Hess, Hoiness, Jensen, Krieg, MacDonald, McCarthy, McKenna, Mernin, Nixon, Oliver, O'Neil, Peterson, Pierce, Robertson, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Williams and Working. Total 33.

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McKenna, Michels, Mulroney, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Rostad, Skibby, Standish, Tripp, Trout, Van Dyke, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 55.

Noes: None.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Brenner, Burns, Cotton, Duncan, Dusak, Gebhardt, Hall, Harken, Hess, Howard, Jensen, Krieg, MacDonald, McCarthy, McElwain, Martin, Mernin, Nixon, Oliver, O'Neil, Pierce, Robertson, Sales, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Williams and Working. Total 35.

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Dokken, Dwyer, Esp, Ewing, Foley, Ganson, Gunderson, Harpster, Haytin, Holding, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Laas, Loble, Loughran, McElwain, McKenna, Mulroney, Rostad, Standish, Trout, Van Dyke and Mr. Speaker. Total 36.

Noes: Andersen (Richland), Anderson (Phillips), Culbertson, Cunningham, Domke, Duppler, Emmons, Goodgame, Harlow, Holtz, Page (Granite), Peters, Phillips, Skibby, Tripp, Wilson (Treasure) and Wilson (Judith Basin). Total 17.

Absent and not voting: Anderson (Hill), Ballard, Brenner, Burns, Cotton, Duncan, Dusak, Frerich, Gebhardt, Hall, Harken, Hawks, Hess, Jensen, Krieg, MacDonald, McCarthy, Martin, Mernin, Michels, Nixon, Oliver, O'Neil, Page (Missoula), Peterson, Pierce, Robertson, Sales, Scofield, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Williams and Working. Total 37.

Moved by Loble that the House adjourn until 10:00 A. M. tomorrow, February 25, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

#### FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 26, 1949.

House convened.

Mr. Speaker in the chair. Invocation by Chaplain.

On roll call all members were present except Ballard, Howard, Mernin, Pierce, Robertson, Tierney and Working, excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fifty-Fourth Legislative Day, and find same correct.

HOLTZ, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do not pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be not concurred in.

BARNARD, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Substitute for Senate Bill No. 61, respectfully report as follows: That Senate Substitute for Senate Bill No. 61 be concurred in.

HARKEN, Chairman,  
Committee on Judiciary.

Report adopted.



Substitute motion by Clark (Silver Bow) that Substitute Senate Bill No. 61 be passed for the day. Motion lost.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 25, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following:

House Bill No. 95.

House Bill No. 101.

Substitute House Bill No. 111.

House Bill No. 183.

House Bill No. 234.

House Bill No. 239.

House Bill No. 258.

House Bill No. 333.

House Bill No. 353.

House Bill No. 376.

House Bill No. 387.

House Joint Resolution No. 4.

House Bill No. 61.

House Bill No. 172.

House Bill No. 186.

House Joint Memorial No. 6.

House Joint Memorial No. 9.

House Bill No. 39.

House Bill No. 72.

House Bill No. 153.

House Bill No. 156.

Substitute House Bill No. 163.

House Bill No. 171.

House Bill No. 181.

House Bill No. 196.

House Bill No. 197.

House Bill No. 202.

House Bill No. 205.

House Bill No. 210.

House Bill No. 211.

House Bill No. 223.  
House Bill No. 224.  
House Bill No. 232.  
House Bill No. 240.  
House Bill No. 246.  
House Bill No. 247.  
House Bill No. 260.  
House Bill No. 261.  
House Bill No. 288.  
House Bill No. 302.  
House Bill No. 304.  
House Bill No. 311.  
House Bill No. 381.

JOHN W. BONNER,  
Governor.

February 25, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

May I respectfully direct your attention to House Bill 106 relating to unemployment compensation benefits, I sincerely believe that the Senate has amended this measure to such an extent that the bill is entitled to reconsideration; and I hope the House of Representatives will send the proposal to conference, so that it may be re-appraised.

Let me review:

The original proposal, as submitted to the House, which I believe was equitable and just, called for increasing the highest maximum weekly benefit amount from the present \$18 to \$26, and increasing the duration of possible benefits from 16 weeks to 26 weeks. There was a provision for reducing the 2-week waiting period to one week, and adding what appeared to me to be very equitable minor, additional dependents' allowances. There were additional provisions for the protection of the fund, increasing the so-called floor and ceiling.

In committee, and by vote of the House of Representatives, about 75 per cent of the monetary costs of this improved program was killed; and the measure, as sent to our Senate, provided only for an increase in the possible weekly duration from 16 to 20 weeks.

Last evening the Senate removed the additional duration, leaving only the very minor increase in the highest possible benefit amount—from \$18 to \$20.

I am advised that the average payment over the country today is approximately \$20, and the only improvement in this law, as now provided in House Bill 106, would be to bring the highest possible payment in Montana to the average payment in the country.

The removal of the additional 4-week possible duration will be a serious blow to the economy of this state, more particularly west of the continental divide. The Unemployment Compensation Commission advises me there are more than 12,000 unemployed in Montana today, and that ap-

proximately 40 percent of these 12,000 are located in six Montana counties west of the divide—Missoula, Lake, Flathead, Lincoln, Ravalli and Sanders. This is brought about by the virtual shutdown of the logging industry. That industry is facing a serious emergency, even when snow melts, by the choking of our roads into the timber areas, by flood conditions, and some indication of a mild slackening of business.

Hundreds of these individuals will be on relief and in serious condition before the end of next month because their entitlement will expire, unless our legislators reconsider and return this proposal, as passed by the House of Representatives, to a possible duration of 20 weeks.

I am further advised by the Unemployment Compensation Commission that the reserves held by the state for this purpose are fully adequate to meet this increased liberalization, and today amount to some 29 million, 500 thousand dollars.

A recent checkup would indicate that approximately 90 per cent of all benefit checks forwarded by the commission in recent weeks have been cashed in stores and banks, so that it is reasonable to consider that these payments are taking care of a large part of the current grocery bills of the workers in these western counties.

I most sincerely hope that both houses can reconsider this proposal and return the measure to at least the approval of the House of Representatives, placing the highest possible weekly benefit at \$20 and the longest possible duration at 20 weeks. It is, of course, too late to reconsider the other meritorious provisions of the bill which have already been killed.

Forty states already pay benefits for 20 weeks or more. Is Montana to remain in the eight states paying less than 20 weeks? Most sincerely I hope not.

I would further suggest that, if possible, the emergency clauses be added to this bill so that it becomes effective March 10, rather than March 31 as now provided.

JOHN W. BONNER,  
Governor.

Referred to Committee on Social Security.

February 25, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is House Bill No. 154 entitled:

“An act permitting actions on tort claims against the State of Montana and describing the practice and procedure therefor,”  
without my approval and objections thereto.

This bill opens wide the door for a multiplicity of law suits against the state. It undoubtedly meets the fondest dreams of lawyers and litigants for the reason that it leaves the state wholly unable to defend itself because the Legislature has not provided an appropriation therein with which the Attorney General of this State can employ counsel to defend the law suits which this bill would permit to be filed.

Where the state may be sued it appears that the state should be given ample protection to defend itself against such suits. As matters now stand the state would be utterly defenseless against a multiplicity of suits because the Attorney General with his present appropriation can only employ sufficient attorneys to handle the ordinary legal business of the state. Undoubtedly if this bill were to become law the next session of the Legislature would be at its wits end to find revenue enough to meet the judgments rendered against the State.

From a practical standpoint it should be observed that the State of Montana has liability insurance covering every vehicle owned by it which gives to those who are injured because of the negligence of the operator the right to sue in the same manner as though individuals were concerned. Furthermore, meritorious claims will undoubtedly be paid when presented to the Legislature where no insurance is involved.

If we are to permit the state to be sued on every type of action imaginable then the Legislature should set up machinery whereby these law suits may be handled, together with a sufficient appropriation for the Attorney General so that he may protect the interests of the state. The provisions to safeguard the state herein enumerated are utterly lacking in the present bill.

JOHN W. BONNER,  
Governor.

February 25, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is House Bill No. 392 entitled:

"An act to amend section 12 of chapter 84, Session Laws, 1937, relating to the authorizing and licensing of the sale of liquor at retail; providing that no liquor be permitted to be consumed upon licensed premises during certain hours; to amend section 2 of chapter 161, Session Laws, 1943, relating to the sale of beer during closed hours forbidden; providing that no beer be permitted to be consumed upon licensed premises during closed hours,"

without my approval and objection thereto.

Present law sets forth the hours when beer and liquor establishments shall be closed to business.

The present bill would undoubtedly cause confusion and render vexatious the enforcement of the present law which would result in inefficient enforcement.

The retailing of liquor and beer is of course a legal business in Montana and the owners of these establishments should be given the same rights as are given to the operators of other businesses in this state. To take from a person his opportunity of obeying the law produces lawlessness in the end.

The present law is specific as to when these establishments shall close and laws in repetition do not insure their enforcement because only action on the part of conscientious public officials will achieve this result.

JOHN W. BONNER,  
Governor.

The question is: Shall House Bill No. 154 pass notwithstanding the veto of the Governor.

The Governor's veto was sustained by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney,

Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 82.

Noes: Arenow, Tripp. Total 2.

Absent and not voting: Ballard, Howard, Mernin, Oliver, Robertson, Working. Total 6.

The question is: Shall House Bill No. 392 pass notwithstanding the veto of the Governor.

The Governor's veto was sustained by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Hayt.n, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulronev, Nixon, Oliver, O Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 79.

Noes: Tripp. Total 1.

Absent and not voting: Ballard, Brenner, Culbertson, Esp, Hess, Howard, Mernin, Robertson, Taber, Working. Total 10.

Mr. Speaker: We, your Committee on Engrossing respectfully report House Bill No. 445 correctly engrossed and House Bills Nos. 443 and 446 considered engrossed.

VAN DYKE, Chairman.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 25, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House measures have this day been acted upon as follows:

House Bill No. 292 non-concurrence.

House Bill No. 216 by Tierney et al, concurred in as amended.

House Bill No. 243 by Loble et al, concurred in as amended.

House Bill No. 193 by Jarussi, concurred in as amended.

House Bill No. 155 by Committee on Dairying, concurred in.

House Bill No. 121 by Hunter, concurred in.

House Bill No. 59 by Committee on Livestock and Public Ranges, concurred in.

House Bill No. 309 by O'Neil et al, concurred in.

House Bill No. 251 by McElwain and Koch, concurred in.

House Bill No. 255 by Brenner, concurred in.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.



Duncan moved that House Bill No. 445 be taken from Third Reading and be re referred to the Committee on Appropriations.

Resolution for Order of Business No. 6 by Tripp and Wilson (Judith Basin).

WHEREAS it was asserted during recent legislative debates that present anti-gambling laws are not being enforced in certain counties of Montana; and

WHEREAS such a condition is a blot on the name of our great State;

NOW therefore be it resolved that the House of Representatives request the Appropriations Committee to submit a bill providing for an appropriation of at least \$20,000 for the office of the Attorney-General for the express purpose of fostering vigorous enforcement of all anti-gambling laws including restrictions on slot machines.

Mr. Speaker: I move to amend Rule 26 of the Rules of the House by inserting before the period at the end of Rule 26, the following, "or when a motion is made and a roll call vote asked for, a member may pass his vote."

PAGE (Missoula).

Referred to the Committee on Rules.

Mr. Speaker: I move that Section 4 of Rule 23 of the Rules of the House be referred to the Committee on Rules to clarify Section 4 in conformity with Rule 26 of the House.

PAGE (Missoula).

Referred to the Committee on Rules.

#### INTRODUCTION OF BILLS AND MEMORIALS

Duncan asked unanimous consent of the House for an appropriation bill without previous notice.

The following measure was introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 450, introduced by Duncan: A bill for an act entitled: "An act appropriating money to the Attorney General for the purpose of law enforcement, and declaring an emergency." Referred to Committee on Appropriations.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

Mr. Speaker appointed Westlake of Gallatin to take the chair.

Committee arose.

Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 438 be concurred in.

Senate Amendments to House Bill No. 216 be concurred in.

Senate Amendments to House Bill No. 243 be concurred in.

Senate Amendments to House Bill No. 193 be concurred in.

Senate Substitute for Senate Bill No. 61 be concurred in.

WESTLAKE, Chairman.

Report adopted.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 443 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Cotton, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Hawks, Haytin, Hess, Hoiness, Holtz, Hunter, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Scofield, Skibby, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), Mr. Speaker. Total 58.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Brenner, Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Duncan, Esp, Frerich, Hall, Harlow, Harpster, Holding, Howard, Jarussi, Koch, McElwain, McKenna, Mernin, Mulroney, Phillips, Robertson, Sales, Smith, Taylor, Tierney, Wiedman, Wilson (Treasure), Working. Total 32.

House please take notice that the Speaker is about to sign Senate Bill No. 20.

House please take notice that the Speaker is about to sign Senate Bill No. 45.

House please take notice that the Speaker is about to sign Senate Bill No. 107.

House please take notice that the Speaker is about to sign Senate Bill No. 78.

House please take notice that the Speaker is about to sign Senate Bill No. 130.

House Bill No. 446 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Blenkner, Bricker, Burns, Clark (Musselshell), Culbertson, Dokken, Duppler, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Michels, Mulroney, Oliver, Page (Granite), Peters, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 52.

Noes: None.

Absent and not voting: Armstrong, Ballard, Beck, Brenner, Clark (Silver Bow), Corcoran, Cotton, Cunningham, Domke, Duncan, Dusak, Dwyer, Esp, Frerich, Hall, Harlow, Harpster, Hess, Howard, Jarussi,

Krieg, MacDonald, McKenna, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Peterson, Phillips, Robertson, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Working. Total 38.

Senate Amendments to House Bill No. 438 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Bricker, Clark (Silver Bow), Culbertson, Dokken, Domke, Duppler, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Hawks, Haytin, Holding, Holtz, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Michels, Mulroney, Oliver, Page (Granite), Peters, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Tripp, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Trout, Mr. Speaker. Total 53.

Noes: None.

Absent and not voting: Armstrong, Ballard, Clark (Musselshell), Corcoran, Cotton, Cunningham, Duncan, Dusak, Dwyer, Esp, Frerich, Hall, Harlow, Harpster, Hess, Hoiness, Howard, Hunter, Jarussi, Krieg, MacDonald, McKenna, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Peterson, Phillips, Robertson, Smith, Taber, Taylor, Tierney, Westlake, Wiedman, Working. Total 37.

Senate Amendments to House Bill No. 216 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Brenner, Clark (Musselshell), Dokken, Domke, Duppler, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Holtz, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Michels, Mulroney, Oliver, Page (Granite), Peters, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 52.

Noes: None.

Absent and not voting: Armstrong, Ballard, Blenkner, Bricker, Burns, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Duncan, Dusak, Dwyer, Esp, Frerich, Harlow, Harpster, Hess, Hoiness, Howard, Jarussi, Krieg, MacDonald, McKenna, Martin, Mernin, Nixon, O'Neil, Page (Missoula), Peterson, Phillips, Robertson, Smith, Taber, Taylor, Tierney, Westlake, Working. Total 38.

Senate Amendments to House Bill No. 243 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Culbertson, Dokken, Duppler, Emmons, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, Michels, Mulroney, Oliver, Page (Granite), Peters, Pierce, Rostad, Sales, Scofield, Skibby, Tripp, Trout, Van Dyke, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 51.

Noes: Standish and Wiedman. Total 2.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Brenner, Clark (Silver Bow), Corcoran, Cotton, Cunningham, Domke, Duncan, Dusak, Dwyer, Esp, Ewing, Frerich, Harlow, Harpster, Hess, Hoiness, Jarussi, Krieg, MacDonald, McKenna, Martin, Mernin, Nixon, O'Neil, Page

(Missoula), Peterson, Phillips, Robertson, Smith, Taber, Taylor, Tierney, Westlake, Working. Total 37.

Senate Amendments to House Bill No. 193 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Haytin, Mr. Speaker. Total 66.

Noes: None.

Absent and not voting: Anderson (Phillips), Armstrong, Aronow, Ballard, Barnard, Clark (Silver Bow), Corcoran, Duncan, Esp, Frerich, Harlow, Harpster, Jarussi, Jensen, McKenna, Martin, Mernin, Nixon, Phillips, Robertson, Smith, Tierney, Westlake, Working. Total 24.

### THIRD READING OF SENATE BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Cotton, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 66.

Noes: Aronow, McElwain, Phillips, Tripp. Total 4.

Absent and not voting: Armstrong, Ballard, Clark (Silver Bow), Corcoran, Culbertson, Duncan, Duppler, Esp, Harlow, Harpster, Jarussi, Laas, McKenna, Martin, Mernin, Nixon, Robertson, Smith, Westlake, Working. Total 20.

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 69.

Noes: Brenner, Skibby. Total 2.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Cor-



coran, Dokken, Domke, Esp, Gunderson, Harlow, Harpster, Jarussi, Jensen, McKenna, Mernin, Michels, Robertson, Smith, Westlake, Working. Total 19.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Gunderson, Mr. Speaker. Total 70.

Noes: Tripp. Total 1.

Absent and not voting: Anderson (Hill), Armstrong, Ballard, Corcoran, Dokken, Domke, Esp, Harlow, Harpster, Jarussi, Krieg, McKenna, Mernin, Oliver, Phillips, Robertson, Rostad, Smith, Working. Total 19.

Senate Bill No. 31 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Michels, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 69.

Noes: Tripp. Total 1.

Absent and not voting: Armstrong, Aronow, Ballard, Corcoran, Culbertson, Emmons, Esp, Harlow, Harpster, Hoiness, Howard, Jarussi, McElwain, McKenna, Merin, Mulroney, O'Neil, Robertson, Smith, Working. Total 20.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Aronow, Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Armstrong, Ballard, Clark (Silver Bow), Corcoran, Duncan, Emmons, Esp, Ewing, Harlow, Harpster, Jarussi, McElwain, McKenna, Martin, Mernin, Mulroney, Robertson, Smith, Working. Total 19.

Substitute Senate Bill No. 61 was concurred in by the following vote:



Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Skibby, Standish, Taber, Taylor, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 74.

Noes: Mulroney, Sales, Scofield, Tripp. Total 4.

Absent and not voting: Armstrong, Ballard, Corcoran, Esp, Harlow, Harpster, Jarussi, McKenna, Mernin, Robertson, Smith, Working. Total 12.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill, No. 445, respectfully report as follows: That House Bill No. 445 be amended as follows:

Amend section 1 thereof by inserting at the bottom of page 1, the following words and figures:

"State Training School

From the General Fund

For salaries and expenses, fifty one thousand five hundred seventy dollars and eighty-two cents .....\$51,570.82." and, as so amended, House Bill No. 445 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 be amended as follows:

By inserting between lines 17 and 18 of page 1, the following words:

"Whereas, it has been brought to the attention of this House that the present anti-gambling laws are not being enforced in certain counties of Montana,"

and by inserting between lines 25 and 26 of page 1, the following words:

"and for the enforcement of the gambling laws of the state."

And, as so amended, House Bill No. 450 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be not concurred in.

BECK, Chairman.

Report adopted.

Substitute motion by Domke that Senate Bill No. 64 be placed on General Orders. Motion lost.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 447 and 448 have been returned correctly printed.

O'NEIL, Chairman.

Moved by Loble that the House adjourn until 10:30 A. M. Monday, February 28, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

### FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
February 28, 1949.

House convened.

Mr. Speaker in chair. Invocation by Chaplain.

On roll call, all members were present except Aronow, Ballard, Gebhardt, Harlow, Hoiness, Jarussi, Mernin, Nixon, Oliver, Peters, Pierce and Robertson, excused.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself in a Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Esp of Sweet Grass to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendment to House Bill No. 225 be concurred in.

ESP, Chairman.

Report adopted.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Amendment to House Bill No. 225 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gundersen, Hall, Harker, Harlow, Harpster, Hawks, Havtin, Holding, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulrorey, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Sales, Scofield, Skibby, Smith, Sandish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Aronow, Ballard, Cunningham, Dwyer, Gebhardt, Hoiness, Mernin, Nixon, Phillips, Pierce, Robertson. Total 11.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fifty-Fifth Legislative Day, and find same correct.

HOLTZ, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Duncan that House Bill No. 448 be taken from General Orders and be re-referred to the Committee on Appropriations. Carried.

Duncan asked that the Committee on Appropriations be excused.

### COMMUNICATIONS AND PETITIONS

Washington, D. C.,  
February 23, 1949.

Honorable Henry Loble,  
House of Representatives,  
Montana State Capitol,  
Helena, Montana.

Dear Representative Loble:

The Clerk of the House has just sent me a copy of House Joint Memorial No. 4, of which you were a co-sponsor. As you know, this memorial calls for the introduction of bills to create the Veterans Economic Development Act, such as were embodied in H. R. 521 and S. 1652 of the 80th congress.

In view of your interest, you will be glad to know that bills of that nature have been introduced in both the House and the Senate during the present congress. They are S. 529 and H. R. 305, and I am enclosing a copy of each.

Sincerely yours,

ZALES N. ECTON,  
United States Senator.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 87 respectfully report as follows: That Senate Bill No. 87 be concurred in.

NIXON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business having had under consideration the motions of the gentleman from Missoula, Mr. Page, for proposed amendments to Rules 24 and 26 of the Rules of the House, respectfully report as follows: That said proposed amendments be not adopted.

LOBLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 be amended as follows: Amend Section 1 by striking out in lines 15 and 16 of page 1, the words and figures: "Three million one hundred forty-nine thousand two hundred fifty dollars (\$3,149,250.00)," and inserting in lieu thereof the words and figures: "Four million one hundred fifteen thousand seven hundred fifty dollars (\$4,115,750)."

And amend Section 2 by striking out in lines 28 and 29 of subsection (a) of page 1, the words and figures: "One million five hundred sixteen thousand eight hundred dollars (\$1,516,800)," and inserting in lieu thereof the words and figures: "Two million three hundred seventy-six thousand eight hundred dollars (\$2,376,800.00)."

and further amend Section 2 by striking out in lines 30 and 31 of subsection (b), of page 1, the words and figures: "Five hundred ninety-five thousand seven hundred dollars (\$595,700.00)," and inserting in lieu thereof the words and figures: "Six hundred fifteen thousand seven hundred dollars (\$615,700.00)"

and further amend Section 2 by striking out in lines 21 and 22, page 2, of subsection (h) the words and figures: "Three hundred twenty-six thousand five hundred dollars (\$326,500.00)," and inserting in lieu thereof the words and figures: "Four hundred thirteen thousand dollars (\$413,000.00)."

And amend section 3 thereof, by striking out in lines 1 and 2 of page 3, the words and figures: "Three Million one hundred forty-nine thousand two hundred fifty dollars (\$3,149,250.00)," and inserting in lieu thereof the words and figures: "Four million one hundred fifteen thousand seven hundred fifty dollars (\$4,115,750)."

And amend section 4 by striking out in lines 13 and 14 of subsection (a) on page 3, the words and figures: "One million five hundred sixteen thousand eight hundred dollars (\$1,516,800)," and inserting in lieu thereof the words and figures: "Two million three hundred seventy-six thousand eight hundred dollars (\$2,376,800.00)"

and further amend Section 4 by striking out in line 16 of subsection (b) on page 3, the words and figures: "Five hundred ninety-five thousand seven hundred dollars (\$595,700.00)" and inserting in lieu thereof the words and figures: "Six hundred fifteen thousand seven hundred dollars (\$615,700.00)."

And further amend Section 4 by striking out in lines 6 and 7 of subsection (h) on page 4, the words and figures: "Three hundred twenty-six thousand five hundred dollars (\$326,500.00)" and insert in lieu thereof the words and figures: "Four hundred thirteen thousand dollars (\$413,000.00)."

And as so amended, House Bill No. 448 do pass.

DUNCAN, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like committee from the House for the consideration of Senate Amendments to House Bill No. 341, in accordance with the request of the House: Sawtell, Padbury, Bovey.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like committee from the House for the consideration of Senate Amendments to House Bill No. 231, in accordance with the request of the House: Ross, Walsh, Lehrkind.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day recommended for non-concurrence by committee action, and the same are herewith returned to the House:

House Bill No. 303 by Fish and Game Committee.

House Bill No. 127 by Committee on Social Security.

House Bill No. 324 by Bricker and Graybill.

House Bill No. 162 by Domke—Taxation Committee.

House Bill No. 363 by Clark (M) et al—Taxation Committee.

House Bill No. 296 by Committee on Livestock and Public Ranges—Stockgrowing and Grazing Committee.

House Bill No. 264 by Esp and Scofield—Stockgrowing and Grazing Committee.

House Bill No. 265 by Esp and Scofield—Majority report of Stockgrowing and Grazing Committee.

House Bill No. 295 by Gunderson et al.

House Bill No. 45 by Trout et al.

House Bill No. 402 by Judiciary Committee—Water, Water Conservation and Flood Control Committee.

House Bill No. 297 by Domke et al.

House Bill No. 31 by Committee on Education.

House Bill No. 166 by Committee on Education.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 225 by Clark (M) et al.

House Bill No. 434 by Barnard.

House Bill No. 439 by Appropriations Committee.

House Bill No. 372 by Mernin et al.

House Bill No. 420 by Harlow by request.

House Bill No. 174 by Loble et al.

House Bill No. 175 by Loble et al.

House Bill No. 106 by Dusak et al.

House Bill No. 349 by Esp and Scofield.

Sub. House Bill No. 191 by Committee on Highways and Highway Transportation.

House Bill No. 388 by Appropriations Committee.



House Bill No. 272 by Ballard et al.

House Bill No. 435 by Domke and Jensen.

Sub. House Bill No. 226 by Committee on State Boards and Offices.

House Bill No. 139 by O'Neil et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

Sub. House Bill No. 167 by Committee on Affairs of Cities.

House Bill No. 89 by Haytin and Laas.

House Bill No. 441 by Appropriations Committee.

House Bill No. 423 by Jarussi et al.

House Bill No. 444 by Committee on Appropriations.

House Bill No. 285 by Jarussi and Dokken.

House Bill No. 329 by Fish and Game Committee.

House Bill No. 326 by Pierce et al.

House Bill No. 340 by Fish and Game Committee.

House Bill No. 314 by Fish and Game Committee.

House Bill No. 397 by Jarussi.

House Bill No. 374 by Loble.

House Bill No. 245 by Committee on Highways and Highway Transportation.

House Bill No. 201 by Clark (Silver Bow) et al.

Sub. House Bill No. 298 by Committee on Affairs of Cities.

Sub. House Bill No. 357 by Appropriations Committee.

House Bill No. 222 by Fish and Game Committee.

House Bill No. 230 by McCarthy et al.

House Bill No. 25 by Westlake et al.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day on motion, requests the House to return House Bill No. 303 for further consideration.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 26, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill No. 291.

JOHN W. BONNER,  
Governor.

## MOTIONS AND RESOLUTIONS

Moved by Loble that in accordance with the request of the Senate that the House return to the Senate House Bill No. 303. Carried.

Moved by Taber that the House reconsider its action of Saturday in adopting an adverse report of the Committee on Townships and Counties with reference to Senate Bill No. 64. Carried.

Armstrong: I move the previous question. Carried.

Moved by Taber that the House request the Senate to return to the House for further consideration Senate Bill No. 64. Carried.

Moved by Taber that Senate Bill No. 64 be placed on General Orders. Carried.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Esp of Sweet Grass to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Bill No. 87 be concurred in.

Senate Amendments to House Bill No. 434 be concurred in.

Senate Amendments to House Bill No. 439 be not concurred in, but that a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 372 be not concurred in, but that a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 420 be concurred in.

Senate Amendments to House Bill No. 174 be concurred in.

Senate Amendments to House Bill No. 175 be concurred in.

Senate Amendments to House Bill No. 106 be not concurred in, but that a Conference Committee of three be appointed by the Speaker to act with a like committee from the Senate.

Senate Amendments to House Bill No. 349 be concurred in.

Senate Amendments to House Bill No. 388 be not concurred in, but

that a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 272 be concurred in.

Senate Amendments to House Bill No. 435 be not concurred in, but that a Conference Committee be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 226 be concurred in.

Senate Amendments to House Bill No. 139 be concurred in.

ESP, Chairman.

Report adopted.

Speaker announced that he had appointed the following members on Conference Committees:

#### CONFERENCE COMMITTEES BY HOUSE ON THE FOLLOWING BILLS

No. 439—Westlake, Working and Kreig.

No. 372—Emmons, Mernin and Armstrong.

No. 106—Dusak, Harpster and Tripp.

No. 388—Peterson, O'Neil and Brenner.

No. 435—Jensen, Domke and Frerich.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 82, 248, 318, 332, 334, 59, 121, 155, 193, 216, 243, 251, 255, 309 and 438.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 82.

House please take notice that the Speaker is about to sign House Bill No. 248.

House please take notice that the Speaker is about to sign House Bill No. 318.

House please take notice that the Speaker is about to sign House Bill No. 332.

House please take notice that the Speaker is about to sign House Bill No. 334.

House please take notice that the Speaker is about to sign House Bill No. 59.

House please take notice that the Speaker is about to sign House Bill No. 121.

House please take notice that the Speaker is about to sign House Bill No. 155.

House please take notice that the Speaker is about to sign House Bill No. 193.

House please take notice that the Speaker is about to sign House Bill No. 216.

House please take notice that the Speaker is about to sign House Bill No. 243.

House please take notice that the Speaker is about to sign House Bill No. 251.

House please take notice that the Speaker is about to sign House Bill No. 255.

House please take notice that the Speaker is about to sign House Bill No. 309.

House please take notice that the Speaker is about to sign House Bill No. 438.

I have examined House Bill No. 82 introduced by me and find the same to be correct.

DOMKE.

I have examined House Bill No. 248 introduced by me and find the same to be correct.

JARUSSI.

I have examined House Bill No. 318 introduced by me and find the same to be correct.

WORKING.

I have examined House Bill No. 332 introduced by me and find the same to be correct.

CLARK (Musselshell), Chairman.

I have examined House Bill No. 334 introduced by me and find the same to be correct.

CLARK (Musselshell), Chairman.

I have examined House Bill No. 59 introduced by me and find the same to be correct.

CLARK (Musselshell), Chairman.

I have examined House Bill No. 121 introduced by me and find the same to be correct.

HUNTER.

I have examined House Bill No. 155 introduced by me and find the same to be correct.

ANDERSON (Hill),  
Vice Chairman.

I have examined House Bill No. 193 introduced by me and find the same to be correct.

JARUSSI.

I have examined House Bill No. 216 introduced by me and find the same to be correct.

TIERNEY.

I have examined House Bill No. 243 introduced by me and find the same to be correct.

LOBLE.

I have examined House Bill No. 251 introduced by me and find the same to be correct.

McELWAIN.

I have examined House Bill No. 255 introduced by me and find the same to be correct.

BRENNER.

I have examined House Bill No. 309 introduced by me and find the same to be correct.

O'NEIL.

I have examined House Bill No. 438 introduced by me and find the same to be correct.

DUNCAN, Chairman.

Moved by Loble that the House recess until 2:00 P. M. this day.

House Resumed.

House please take notice that the Speaker is about to sign Substitute Senate Bill No. 61.

House please take notice that the Speaker is about to sign Senate Bill No. 31.

House please take notice that the Speaker is about to sign Senate Bill No. 30.

House please take notice that the Speaker is about to sign Senate Bill No. 47.

House please take notice that the Speaker is about to sign Senate Bill No. 92.

House please take notice that the Speaker is about to sign Senate Bill No. 93.

House please take notice that the Speaker is about to sign Senate Bill No. 106.

House please take notice that the Speaker is about to sign Senate Bill No. 126.

House please take notice that the Speaker is about to sign Senate Bill No. 135.

House please take notice that the Speaker is about to sign Senate Bill No. 131.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 116, respectfully report as follows: That Senate Bill No. 116 be not concurred in.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be not concurred in.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be not concurred in.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be amended as follows: In Section 2, page 3, line 63 of the printed bill; and page 4, lines 31 and 32 of the original bill, the words and figures "twenty-five cents (\$0.25)" be stricken, and the words and figures, "twenty cents (\$0.20)" be inserted; and that the whole of sub-sections (1) and (2) be underlined.

And also be amended by adding two new sub-sections as follows:

"(k) No child attending public elementary school shall be required by



any school board to ride a school bus, under average road conditions, more than one (1) hour per trip of said child in said school bus, without the consent of the child's parents or guardian.

"(1) For the purpose of developing economy and efficiency in the transportation of school children, the state superintendent of public instruction shall be authorized with the approval of the state board of education to employ a competent person as supervisor of transportation. Not less than one-half of his time shall be devoted to this service. The other time may be spent as provided by law, or as otherwise provided. His salary and expenses shall be paid in proportion to time spent as transportation supervisor from the transportation funds as approved by the state board of education."

And that, as amended, the bill be concurred in.

HARLOW, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be amended as follows:

Amend the title of the original bill by inserting after the words and figures, "Sections 3," the numeral: "5,"

and further amend the title by inserting in line 8 of the original bill after the words, "members" the following: 'and patrons of business establishments in which minors are not allowed,'

and further amend the title by inserting in line 5 of the original bill after the word, "machines" the following: "Specifying amount of license fees,"

and be amended further by striking out in Section 2, line 23 of the original bill and line 4 of the printed bill after the word "majority," the following: "or any person not an actual bona fide member in good standing of such licensee,"

and be amended further by inserting in Section 1 of line 21 of the original bill and line 4 of the printed bill after the words "social clubs" the following: "and every person, firm, partnership or corporation maintaining and operating a place of business in which minors are not allowed,"

and be amended further by inserting in Section 3 at line 11 on page 3 of the original bill and line 8 of Section 3 of the printed bill after the word "require," the following: "The board is charged with the duty of administering and enforcing the provisions of this act, and the board, its members and agents, are hereby given the powers of peace officers, and are authorized and empowered to arrest any person violating any provision of this act, and to enter complaint before any court of competent jurisdiction, and to seize without formal warrant or process and use as evidence, any slot machine used or operated in violation of any provision of this act, or in lieu of such seizure it shall have authority to lock or seal any such slot machine in such manner that it cannot be used, pending determination of any civil or criminal action instituted with reference thereto, and the tampering with, breaking or removal of such locked or sealed slot machine from the premises where it is kept and used shall constitute a misdemeanor, punishable as herein provided. In the enforcement of this act, the board, its members or agents, may call to its or their assistance, and it shall be the duty of any county attorney or any peace officer in this state, to assist the board in its enforcement of this act. The board is hereby authorized to employ such clerical and field assistants as it may deem necessary to properly enforce and administer the provisions of this act, for the detailed and efficient administration thereof. Out of the money in said slot machine license fund, there shall be paid on claims regularly presented against the state, and approved by the state board of examiners, all costs of enforcing and all expenses of administering the provisions of this act."

and be amended further by striking out in Section 3 at line 18 of the original bill on page 3 thereof and lines 12 and 13 in section 3 of the printed bill after the word "qualified" the following: "organization or club" and in line 19 of Section 3 of the original bill at page 3 thereof and in line 13 of the printed bill after the words, "or club as," strike out the following words: "such is"

and be amended further, that in place of Section 5 of the original bill insert the following: "That Section 5 of Chapter 142 of the Session Laws of 1945 be and the same is hereby amended as follows, 'A license for the operation of any slot machine or slot machines within the State of Montana (hereinafter referred to as the "board") by any of the organizations, social clubs, firms, partnerships, corporations or persons enumerated in Section three (3) of this act, desiring to use or operate the same and the annual license fee be as follows: A license fee of Three Hundred (\$300.00) dollars per annum per machine shall be paid to the board for such license in cities of over ten thousand (10,000) population, or within a radius of five (5) miles thereof, according to the last United States census; in all cities or towns with a population of over five thousand (5,000) and less than ten thousand (10,000), or within a radius of five (5) miles thereof, such social clubs, firms, partnerships, corporations, persons and organizations shall pay a license fee of Two Hundred (\$200.00) dollars per machine per annum; in all cities or towns with a population of less than five thousand (5,000), or within a radius of five (5) miles thereof, such persons, social clubs, firms, partnerships, corporations and organizations shall pay an annual license fee of One Hundred (\$100.00) dollars per machine per annum; all social clubs, firms, partnerships, corporations and organizations not operating within the limits of the incorporated city or town shall pay an annual license fee of One Hundred (\$100.00) dollars per annum per machine. For each separate slot in any slot machine an additional license fee equivalent to the fee hereinbefore provided for, shall be paid."

and be amended further, that in place of Section 6 of the original bill insert the following: "If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act."

and be amended further by renumbering Sections 5 and 6 of the original bill as follows: "7 and 8"

And as so amended, recommend Senate Bill No. 139 be concurred in.

DOMKE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be not concurred in.

DOMKE, Chairman.

Report adopted.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 28, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 391 by Smith et al.

Sub. House Bill No. 66 by Committee on Petroleum, Oil and Gas.

House Bill No. 209 by Domke et al.

House Bill No. 407 by Gebhardt et al.

House Bill No. 347 by Howard.

House Bill No. 342 by Tierney.

House Bill No. 165 by Domke.

House Bill No. 380 by Westlake.

Sub. House Bill No. 126 by Judiciary Committee.

House Bill No. 273 by Sales et al.

House Bill No. 274 by Sales et al.

House Bill No. 54 by Loble.

House Bill No. 38 by Esp and Scofield.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day acceded to the request of the House for the return of Senate Bill No. 64 for further consideration and the same is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in the Senate amendments:

House Bill No. 105 by Scofield et al.

Sub. House Bill No. 128 by Committee on Judiciary.

Sub. House Bill No. 123 by Committee on Judiciary.

House Bill No. 242 by Holtz et al.

House Bill No. 109 by Holding et al.

House Bill No. 213 by Jarussi.

House Bill No. 352 by Gunderson and Holtz.

Sub. House Bill No. 141 by Committee on State Boards and Offices.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 87 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 81.

Noes: Emmons. Total 1.

Absent and not voting: Ballard, Haytin, Krieg, Mernin, Peterson, Pierce, Robertson, Wiedman. Total 8.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole under rules of the previous sitting and that Senate Bills be first considered.

Mr. Speaker appointed Harken of Rosebud to take the chair.

Committee arose with privilege of sitting again.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Bill No. 64 be indefinitely postponed.

Senate Bill No. 114 be concurred in.

Senate Amendments to Substitute House Bill No. 191 be concurred in.

Senate Amendments to House Bill No. 352 be concurred in.

Senate Amendments to Substitute House Bill No. 141 be not concurred in, but that a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 105 be concurred in.

House Bill No. 445 do pass.

House Bill No. 447 do pass.

House Bill No. 448 do pass.

HARKEN, Chairman.

Report adopted.

Moved by Esp that Senate Bill No. 64 be segregated from the report of the Committee of the Whole and a request for a roll call vote with a Journal entry. There being a sufficient number of seconds the following roll call vote was taken:

Ayes: Brenner, Burns, Clark (Silver Bow), Corcoran, Cotton, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Howard, Hunter, Jensen, Krieg, Loughran, McCarthy, Michels, O'Neil, Page (Granite), Peterson, Rostad, Scofield, Skibby, Smith, Taber,

Taylor, Tierney, Trout, Westlake, Wilson (Judith Basin), Working. Total 45.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Beck, Blenkner, Bricker, Clark (Musselshell), Culbertson, Cunningham, Dusak, Frerich, Hall, Holding, Holz, Jarussi, Karlberg, Koch, Laas, Loble, MacDonald, McElwain, Martin, Mulrone, Nixon, Oliver, Page (Missoula), Peters, Standish, Wiedman, Williams, Wilson (Treasure), Mr. Speaker. Total 33.

Absent and not voting: Anderson (Hill), Ballard, Barnard, Gunderson, McKenna, Mernin, Phillips, Pierce, Robertson, Sales, Tripp, Van Dyke, Total 12.

Motion carried.

Report adopted.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Committee arose.

Mr. Speaker in chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendments to Substitute House Bill No. 123 be not concurred in, and a Conference Committee be appointed to act with a like committee from the Senate.

Senate Amendments to Substitute House Bill No. 128 be not concurred in, and a Conference Committee of three be appointed to act with a like committee from the Senate.

Senate Amendments to House Bill No. 242 be concurred in.

Senate Amendments to House Bill No. 109 be concurred in.

Senate Amendments to House Bill No. 213 be concurred in.

Senate Bill No. 139—Amend Senate Bill No. 139 by eliminating therefrom all amendments of the House Committee on Revenue and Taxation.

Amend Section 1 of Senate Bill No. 139 by striking out in line 20 the words: "immediately before making application" and inserting in lieu thereof the words: "prior to the passage of this act."

Amend Section 1 by striking out in line 19 the comma after the word "profit" and the word "and" after the word "profit" and inserting a period after the word "profit" and capitalizing the "N" in the word "No"

And as so amended, recommend that Senate Bill No. 139 be concurred in.

Senate Bill No. 64—Be amended in Section 3 by striking out in line 1, after the word, "of," the word "seven (7)" and inserting the words in Section 3, line 4, after the word court; the words: "County Surveyor, County Auditor, County Commissioners"

Amend Section 1 by striking out in line 4, after the word "county," the words: "in its sole discretion,"

And as amended, recommend that Senate Bill No. 64 be concurred in.

HARKEN, Chairman.

Report adopted.



Speaker announced that he had appointed the following members to serve on the House Conference Committee with a like number of senators:

House Bill No. 141—Hess, Aronow and McElwain.

Substitute for House Bill No. 123—McKenna, Blenkner and Foley.

Substitute for House Bill No. 128—McKenna, Blenkner and Foley.

### MOTIONS AND RESOLUTIONS

Moved by Loble that the Joint Rules be suspended for the purpose of transferring a memorial on the Yellowstone river compact.

Moved by Loble that the clerk be authorized to receive amendments to bills up to twelve o'clock P. M. tonight.

Moved that Senate Bill No. 139 as amended be taken from third reading and be re-referred to General Orders. Carried.

Moved by Howard that Senate Bill No. 139 be passed for the day. Declared out of order.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the present sitting.

Committee arose.

Speaker in Chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Bill No. 139—Be amended in Section 1 by striking out in line 20 the words: "and operating" and by inserting after the word "it" in line 19 the words: "or its parent body," and as so amended, recommend that Senate Bill No. 139 be concurred in.

HARKEN, Chairman.

Report adopted.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Esp, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Sales, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 69.

Noes: Anderson (Phillips), Armstrong, Brenner, Clark (Silver Bow), Dwyer, Emmons, Foley, Loughran, Martin, Mernin, Rostad, Smith, Tierney. Total 13.

Absent and not voting: Ballard, Duncan, Ewing, Frerich, Pierce, Robertson, Van Dyke, Wiedman. Total 8.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Foley, Ganson, Gebhardt, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Koch, Krieg, Loble, Loughran, McElwain, Mernin, Michels, Mulrone, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Judith Basin), Working, Mr. Speaker. Total 53.

Noes: Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dwyer, Emmons, Esp, Ewing, Goodgame, Hall, Harpster, Howard, Jarussi, Karlberg, Laas, MacDonald, McCarthy, McKenna, Martin, Oliver, Phillips, Sales, Scofield, Skibby, Smith, Taylor, Williams, Wilson (Treasure). Total 29.

Absent and not voting: Ballard, Duncan, Frerich, Nixon, Pierce, Robertson, Rostad, Wiedman. Total 8.

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Armstrong, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jensen, Karlberg, Krieg, Loughran, McCarthy, McKenna, Mernin, Page (Granite), Peters, Peterson, Rostad, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wilson (Judith Basin), Working. Total 51.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Bricker, Culbertson, Dusak, Frerich, Gunderson, Holtz, Jarussi, Koch, Laas, Loble, MacDonald, McElwain, Martin, Michels, Mulrone, Oliver, O'Neil, Page (Missoula), Phillips, Sales, Standish, Taylor, Williams, Wilson (Treasure), Mr. Speaker. Total 32.

Absent and not voting: Ballard, Cunningham, Duncan, Nixon, Pierce, Robertson, Wiedman. Total 7.

Moved by Loble that the House adjourn until 10:30 A. M., Tuesday, March 1, 1949.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
March 1, 1949.

House convened.

Mr. Speaker in chair. Invocation by Chaplain.

On roll call, all members were present except Duncan, Foley, McKenna, Mernin and Wilson (Treasure), excused.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the 57th Legislative Day, and find same correct.

HOLTZ, Chairman.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 28, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved House Bill No. 257.

JOHN W. BONNER,  
Governor.

## CONSIDERATION OF MESSAGES FROM THE SENATE

February 28, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that Joint Rule No. 19 was this day suspended and I herewith transmit to your honorable body, Senate Joint Resolution No. 3 introduced by the Water Conservation and Flood Control Committee.

I am directed by the Senate to inform your honorable body that the Senate took the following action this day on House measures:

House Bill No. 182 introduced by Krieg, concurred in.

House Bill No. 446 by Appropriations Committee, concurred in.

House Bill No. 362 by Harlow et al., concurred in.

House Bill No. 189 by Committee on Highways and Highway Transportation, concurred in.

House Bill No. 303 by Fish and Game Committee, concurred in.

House Bill No. 359 by Loble, concurred in as amended.

Senate Substitute Bill for Substitute House Bill No. 161, introduced by Committee on Education, concurred in as amended.

House Bill No. 284 by Nixon et al, concurred in as amended.

House Bill No. 279 by Domke and Bricker, concurred in as amended.

House Bill No. 262 by Loble and McElwain, concurred in as amended.

House Bill No. 190 by Committee on Highways and Highway Transportation, concurred in as amended.

House Bill No. 192 by Committee on Highways and Highway Transportation, concurred in as amended.

House Bill No. 36 by Culbertson, concurred in as amended.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bill was this day recommended for non-concurrence by the Taxation Committee, report adopted, and the same is herewith returned to the House:

House Bill No. 440 by Domke.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## INTRODUCTION OF BILLS

Substitute Senate Bill for Substitute House Bill No. 161, introduced by Committee on Education, was introduced, read first and second times and referred to the Committee on Education: A bill for an act entitled: "An act providing equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools; providing for abolishment of state public school general fund; providing for a change of name for the state common school equalization fund; providing that the State Board of Education shall administer the state public school equalization fund; providing for the raising of school revenues by school district and county taxes and for payments by the state in support of the public schools within prescribed limits; providing for restrictions on school budgets; providing for applications for approval of isolated schools and for action thereon by the county budget board and county superintendent of schools; providing for elections to vote upon extra levies; providing the method of distribution of school funds; providing for notice by state superintendent if state fund is inadequate; providing for resolution to issue and for issuance of warrants when a deficiency exists in state aid; providing the method of payment of such warrants; amending sections of the Revised Codes of Montana of 1935, and of the Session Laws as follows: Section 1019.19, 1202, as amended by Chapter 273, Laws of 1947, 1219 and 1263.5, as last amended by Section 1, Chapter 280, Laws of 1947, and repealing all acts and parts of acts in conflict herewith."

## THIRD READING OF BILLS

House Bill No. 420 being a constitutional amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety, including Senate Amendments thereto, as follows:

## HOUSE BILL NO. 420

Introduced by Harlow by Request

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 6, Article XIII of the Constitution of the State of Montana, relating to the limitation of indebtedness of liability of school districts, cities, towns, or townships."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 6, of Article XIII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State at the General Election to be held in November, 1950.

Section 2. That Section 6, of Article XIII of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 6. No city, town, township or school district shall be allowed to become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding five per centum (5%) of the value of the taxable property therein, to be ascertained by the last assessment for State and County taxes previous to the incurring of such indebtedness, and all bonds or obligations in excess of such amount given by or on behalf of such city, town, township or school district shall be void; provided, however, that the Legislative Assembly may extend the limit mentioned in this section, by authorizing municipal corporations to

submit the question to a vote of the taxpayers affected thereby, when such increase is necessary to construct a sewerage system or to procure a supply of water for such municipality which shall own and control said water supply and devote the revenues derived therefrom to the payment of the debt."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided for by Chapter 67, Revised Codes of Montana, 1935, as amended by Chapter 81, Session Laws of Montana, 1939, and as amended by Chapters 67 and 141, Session Laws of Montana, 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐ For the above Amendment.

☐ Against the above Amendment.

The vote on said Senate Amendments to House Bill No. 420 was as follows:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Krieg and Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Ballard, Barnard, Culbertson, Dwyer, Harpster, Loughran, Martin, Mernin, Mulroney and Robertson. Total 10.

Senate Amendments to Substitute House Bill No. 226 were concurred in as follows:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Foley, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: Brenner, Frerich, Holding, Karlberg, Scofield and Taylor. Total 6.

Absent and not voting: Aronow, Ballard, Culbertson, Duncan, Dwyer, Ewing, Gebhardt, McKenna, Mernin, Mulroney and Robertson. Total 11.

Senate Amendments to House Bill No. 434 were concurred in as follows:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham,



Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Michels, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Sales, Scofield, Skibby, Smith, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Ballard, Culbertson, Duncan, Dwyer, Gebhardt, Loughran, Martin, Mernin, Mulroney, Oliver, Peterson, Pierce, Robertson, Rostad, Standish and Wiedman. Total 16.

Senate Amendments to House Bill No. 174 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Sales, Scofield, Skibby, Smith, Standish, Tierney, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 75.

Noes: Hoiness, Howard, Krieg, Taber and Taylor. Total 5.

Absent and not voting: Armstrong, Ballard, Loughran, Mernin, Mulroney, Nixon, Robertson, Rostad, Tripp and Van Dyke. Total 10.

Senate Amendments to House Bill No. 175 were concurred in by the following vote:

Ayes: Andersen (Richland), Andersen (Phillips), Anderson (Hill), Barnard, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Beck, Cunningham, Duncan, Esp, Hunter, Loughran, Robertson, Scofield and Van Dyke. Total 12.

Mr. Speaker: We, your Committee on Engrossing, beg to report the following bills considered correctly engrossed: House Bill No. 447, and House Bills Nos. 445 and 448 correctly engrossed.

VAN DYKE, Chairman.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bills Nos. 449 and 450 have been returned correctly printed.

O'NEIL, Chairman.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting, and that House Bills Nos. 449 and 450 be considered on General Orders.

Speaker asked Rostad of Meagher to take the chair. Committee arose.

Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

House Bill No. 449 do pass.

House Bill No. 450 be amended in Section 1 by striking out in line 2 of the printed bill the words and figures: "Twenty thousand dollars (\$20,000.00)" and inserting in lieu thereof the words and figures: "Forty thousand dollars (\$40,000.00)" and as so amended recommend that House Bill No. 450 do pass.

ROSTAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 82, 248, 318, 332, 334, 59, 121, 155, 193, 216, 243, 251, 255, 309, and 438 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:40 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

## THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 445 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Canson, Gebhardt, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Work- ing and Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Armstrong, Ballard, Barnard, Esp, Harken, Haytin, Koch, Nixon, Pierce and Robertson. Total 9.

House Bill No. 447 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham,

Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Rostad, Sales, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Ballard, Barnard, Esp, Pierce, Robertson and Scofield. Total 6.

House Bill No. 448 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Anderson (Phillips), Armstrong, Aronow, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Ewing, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Sales, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Hill), Ballard, Barnard, Blenkner, Bricker, Domke, Esp, Foley, Frerich, Ganson, Harlow, Harpster, Heltz, Jarussi, Krieg, Phillips, Pierce, Robertson, Scofield, Taylor, Tripp and Working. Total 23.

Senate Amendments to House Bill No. 349 were concurred in by the following vote:

Ayes: Anderson (Phillips), Armstrong, Aronow, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Phillips, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Hill), Ballard, Barnard, Bricker, Duppler, Ewing, Foley, Frerich, Ganson, Harlow, Harpster, Hall, Jarussi, Krieg, Loughran, MacDonald, Peterson, Pierce, Robertson, Rostad, Taylor and Working. Total 23.

Senate Amendments to House Bill No. 272 were concurred in by the following vote:

Ayes: Anderson (Phillips), Armstrong, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Domke, Dusak, Emmons, Esp, Foley, Goodgame, Gunderson, Harken, Hawks, Haytin, Holding, Hoiness, Howard, Jensen, Karlberg, Koch, Laas, Loble, McCarthy, McElwain, McKenna, Martin, Mernin,

Michels, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 58.

Noes: None.

Absent and not voting: Andersen (Richland), Anderson (Hill), Aronow, Ballard, Blenkner, Bricker, Culbertson, Duncan, Duppler, Dwyer, Ewing, Frerich, Ganson, Gebhardt, Hall, Harlow, Harpster, Hess, Holtz, Hunter, Jarussi, Krieg, Loughran, MacDonald, Mulroney, Nixon, Page (Missoula), Phillips, Robertson, Taylor, Westlake and Working. Total 32.

Senate Amendments to House Bill No. 139 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Ballard, Blenkner, Duppler, Ewing, Foley, Ganson, Hall, Hess, Hunter, Jarussi, Krieg, Loughran, McElwain, Page (Missoula), Robertson, Wiedman and Working. Total 17.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: House Bill No. 449.

VAN DYKE, Chairman.

House Bill No. 449 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Ballard, Blenkner, Duppler, Ewing, Ganson, Hall, Harpster, Howard, Hunter, Krieg, McElwain, Mernin, Nixon, O'Neil, Page (Missoula), Robertson, Sales, Taylor and Working. Total 19.

Senate Amendments to House Bill No. 191 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Bricker, Burns, Clark (Musselshell),



Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Mernin, Michels, Mulrone, Oliver, Page (Granite), Peters, Peterson, Phillips, Pierce, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure) and Mr. Speaker. Total 71.

Noes: Brenner. Total 1.

Absent and not voting: Ballard, Blenkner, Duppler, Ewing, Ganson, Harpster, Howard, Hunter, Krieg, McElwain, Nixon, O'Neil, Page (Missoula), Robertson, Sales, Smith, Wilson (Judith Basin) and Working. Total 18.

Senate Amendments to House Bill No. 352 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Frerich, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Andersen (Richland), Ballard, Blenkner, Duncan, Duppler, Ewing, Foley, Ganson, Harpster, Howard, Hunter, Jarussi, Krieg, MacDonald, McElwain, Page (Missoula), Robertson, Sales, Smith, Tierney and Working. Total 21.

Senate Amendments to House Bill No. 105 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Rostad, Scofield, Skibby, Standish, Taber, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Ballard, Blenkner, Cotton, Domke, Duncan, Duppler, Ewing, Ganson, Gunderson, Hawks, Hunter, Jarussi, Krieg, McElwain, Mernin, Pierce, Robertson, Sales, Smith, Taylor, Tierney and Working. Total 22.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 450.

VAN DYKE, Chairman.

House Bill No. 450 was passed by the following vote and transmitted to the Senate for concurrence:



Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Mernin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 70.

Noes: Martin, Oliver, Phillips, Pierce and Wiedman. Total 5.

Absent and not voting: Ballard, Blenkner, Duppler, Ewing, Ganson, Gunderson, Hunter, Jarussi, Krieg, McElwain, Robertson, Sales, Smith, Tierney and Working. Total 15.

Senate Amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Ballard, Blenkner, Cotton, Cunningham, Domke, Ewing, Ganson, Gunderson, Harken, Hawks, Hunter, Krieg, McElwain, Mernin, Mulroney, Phillips, Pierce, Robertson, Sales, Smith, Tierney and Working. Total 22.

Senate Amendments to House Bill No. 109 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Duncan, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peterson, Rostad, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), and Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Ballard, Blenkner, Cotton, Domke, Duppler, Ewing, Ganson, Gunderson, Howard, Hunter, Krieg, McElwain, Mernin, Peters, Phillips, Pierce, Robertson, Sales, Scofield, Smith, Van Dyke and Working. Total 22.

Senate Amendments to House Bill No. 213 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill),

Armstrong, Aronow, Barnard, Beck, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Gebhardt, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McKenna, Martin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Ballard, Blenkner, Bricker, Duncan, Duppler, Ewing, Ganson, Gunderson, Hunter, McElwain, Mernin, O'Neil, Phillips, Pierce, Robertson, Sales and Smith. Total 17.

### INTRODUCTION OF BILLS

The following measure was introduced, read first and second times and referred to Committee on Water Conservation and Flood Control:

Senate Joint Resolution No. 3, introduced by Committee on Water Conservation and Flood Control: "A joint resolution to the Governor of the State of Montana requesting the appointment of a commission to renegotiate the Yellowstone river compact."

House please take notice that the Speaker is about to sign House Bill No. 25.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 25, 54, 89, Substitute House Bill No. 126, and House Bill No. 165, House Bills Nos. 167, 201, 222, 230, 245, 285, Substitute House Bills Nos. 298, 326, 340, Substitute House Bills Nos. 357, 374, 397, 423, 441 and 444.

WIEDMAN, Chairman.

I have examined House Bill No. 25 introduced by me and find the same to be correct.

WESTLAKE.

House please take notice that the Speaker is about to sign House Bill No. 54.

I have examined House Bill No. 54 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 89.

I have examined House Bill No. 89 introduced by me and find the same to be correct.

HAYTIN.

House please take notice that the Speaker is about to sign Substitute House Bill No. 126.

I have examined Substitute House Bill No. 126 introduced by me and find the same to be correct.

HARKEN.

House please take notice that the Speaker is about to sign House Bill No. 165.

I have examined House Bill No. 165 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign Substitute House Bill No. 167.

I have examined Substitute House Bill No. 167 introduced by me and find the same to be correct.

KARLBERG.

House please take notice that the Speaker is about to sign House Bill No. 201.

I have examined House Bill No. 201 introduced by me and find the same to be correct.

CLARK (Silver Bow).

House please take notice that the Speaker is about to sign House Bill No. 222.

I have examined House Bill No. 222 introduced by me and find the same to be correct.

EWING.

House please take notice that the Speaker is about to sign House Bill No. 230.

I have examined House Bill No. 230 introduced by me and find the same to be correct.

McCARTHY.

House please take notice that the Speaker is about to sign House Bill No. 245.

I have examined House Bill No. 245 introduced by me and find the same to be correct.

NIXON.

House please take notice that the Speaker is about to sign House Bill No. 285.

I have examined House Bill No. 285 introduced by me and find the same to be correct.

JARUSSI.

House please take notice that the Speaker is about to sign Substitute House Bill No. 298.

I have examined Substitute House Bill No. 298 introduced by me and find the same to be correct.

KARLBERG.

House please take notice that the Speaker is about to sign House Bill No. 326.

I have examined House Bill No. 326 introduced by me and find the same to be correct.

PIERCE.

House please take notice that the Speaker is about to sign House Bill No. 340.

I have examined House Bill No. 340 introduced by me and find the same to be correct.

EWING.

House please take notice that the Speaker is about to sign Substitute House Bill No. 357.

I have examined Substitute House Bill No. 357 introduced by me and find the same to be correct.

DUNCAN.

House please take notice that the Speaker is about to sign House Bill No. 374.

I have examined House Bill No. 374 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 397.

I have examined House Bill No. 397 introduced by me and find the same to be correct.

JARUSSI.

House please take notice that the Speaker is about to sign House Bill No. 423.

I have examined House Bill No. 423 introduced by me and find the same to be correct.

JARUSSI.

House please take notice that the Speaker is about to sign House Bill No. 441.

I have examined House Bill No. 441 introduced by me and find the same to be correct.

DUNCAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 444.

I have examined House Bill No. 444 introduced by me and find the same to be correct.

DUNCAN, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Substitute Senate Bill for Substitute House Bill No. 161, respectfully report as follows: That Substitute Senate Bill for Substitute House Bill No. 161 be concurred in.

HARLOW, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR

February 28, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following:

House Bill No. 60.

House Bill No. 59.

House Bill No. 155.

House Bill No. 216.

House Bill No. 248.

House Bill No. 255.

House Bill No. 318.

House Bill No. 334.

House Bill No. 200.

House Bill No. 82.

House Bill No. 193.

House Bill No. 243.

House Bill No. 251.

House Bill No. 309.

House Bill No. 332.

House Bill No. 438.

JOHN W. BONNER,  
Governor.

Moved by Loble that the House recess until 2:00 o'clock P. M.

House resumed.

## HOUSE MEMORIAL

### IN MEMORIAM

"Sunset and evening star,  
And one clear call for me!  
And may there be no moaning of the bar,  
When I put out to sea,

But such a tide as moving seems asleep,  
Too full for sound and foam,  
When that which drew from out the boundless deep  
Turns again home."—Tennyson.

To prepare a worthy and fitting tribute to those members of previous legislative assemblies who have been called by their Creator to their eternal reward is indeed a task difficult for us to accomplish.

Humbly the present duty is done with a full knowledge of our shortcomings to properly memorialize those who have gone before us and with a deep sense of fear that proper justice may not have been done to those near and dear to our former deceased colleagues.

The study of the lives of each of these men gives one a full knowledge that these same people possessed great traits of virtue and love of fellow men that can be measured by God alone.

We fully appreciate that each of these same honored dead gave his full measure of service and justice without regard to personal interest or gain;

That these same honored dead served their constituents with honesty and fidelity;

That posterity, at least in part, will remember these honored dead for lives fully lived because of obedience to God and to country.

We further appreciate that they, because of their serious efforts for the betterment of mankind, have left their "footprints on the sands of time" and that, because of their contributions to the development and building of our great State, they have helped mould the Montana of today.

"Twilight and evening bell,  
And after that the dark!  
And may there be no sadness of farewell,  
When I embark;



For tho' from out our bourne of Time and Place  
The flood may bear me far,  
I hope to see my Pilot face to face  
When I have crost the bar.'—Tennyson.

WHEREAS the inevitable end of man has come to certain members of former sessions of the Montana Legislature, and

WHEREAS the members of the House of Representatives of the 31st Legislative Assembly of the State of Montana mourn the passing of these distinguished citizens of our state,

NOW, THEREFORE, BE IT RESOLVED, by the members of the House of Representatives of this 31st Legislative Assembly, that by means of this Resolution, we signify our regret of their passing and extend to their bereaved families our sincere sympathy and condolences;

AND, BE IT FURTHER RESOLVED, that suitable Memorials be forwarded to the widows, or families, of the deceased members and that this Memorial be spread upon the Journal of this House.

#### FRED B. CHRISTY

Fred B. Christy served in the House during the 29th and 30th sessions of the Montana Legislative Assembly as a representative from Silver Bow county. He was born in Creston, Iowa, on August 14, 1891. He migrated to Butte with his parents in 1906 where, in that city, he finished his schooling. He was a bookkeeper by profession and he faithfully served the city of Butte for 15 years as a city alderman. He was a Democrat and a member of the Roman Catholic church. He died on New Year's eve, December 31, 1948. Mr. Christy is survived by his wife, Eleanor Irene Christy (Hocking), and a daughter, Betty File.

#### JOSEPH B. CONNER

Joseph B. Conner was born November 10, 1867 in Ontario, Canada. He came with his parents to New York state when he was three months old. He was educated in the State of New York and arrived in Montana in 1895. He then moved from Red Lodge to Great Falls in 1902. From 1906 to 1910 he was chief engineer of the Great Falls water works. In 1917 he moved to Farmington in Teton county, where he was engaged in the retail grocery business. He represented Teton county as a member of the House during the 23rd, 24th and 25th Montana Legislative Assemblies. He was married to Hannah Hasterlick. He was a member of the Democratic party. He died in Great Falls on November 5, 1948. He is survived by his wife and brother-in-law and sister-in-law, Mr. and Mrs. J. A. Hasterlick.

#### FRANK CORR

Frank Corr was born in County Cavin, Ireland, on January 15, 1879. In 1898 he came to America and Montana. He attended the Montana School of Mines in Butte. For most of his life he was a mining engineer by occupation; however, during 1911 and 1912 he served Silver Bow county as its surveyor. He was married to Mary Sullivan and was the father of six children who all survive him. He was a member of both the Democratic party and the Roman Catholic church. He served in the House during the 14th session of the Montana Legislative Assembly as representative from Silver Bow county. He died in Butte, Montana, on August 8, 1948.

#### CHARLES R. HIGGINS

Charles R. Higgins was born on a ranch near Browning, Montana, on January 1, 1898. He attended school in Cut Bank, Montana, and then followed ranching as a profession. He was a member of the Roman Catholic

church. He served as chairman of the school board in Browning, Montana, and was vice president of the Production Credit Association. He was a member of the Republican party and served in the House from Glacier county during the 29th and 30th Legislative Assemblies. He was married to Elbea Seety and from that union came three children. He died at Conrad, Montana, September 15, 1948.

#### JOHN O. HIGHAM

John O. Higham, former Carbon county member of the House of Representatives, who served in the 19th session in 1925, died in Billings, Montana, on February 9, 1949. Mr. Higham was born in Lanesboro, Minnesota. He came to Montana in 1890, working on the Great Northern Railroad for a time, after which he spent two years in California. He returned to Montana at which time he rode the range for a time. After a visit to his birthplace, he returned to Montana again and located in Absarokee as a store salesman. From there he moved to Joliet and engaged in the sheep business and mercantile business before moving to Belfry in 1906, where he went into the banking business. In 1905 he married Jennie Wight, who preceded him in death in 1941. Surviving him are a daughter, Mrs. Glen Helmann of Hardin, and three sons, Jack W., Weldon O., and Robert A., all of Belfry. He was a member of the Masons, Elks, and Modern Woodmen and of the Republican party.

#### PETER V. JACKSON

Peter V. Jackson was born in Sterling, Montana, on January 6, 1890. The son of pioneer parents, he operated a wheat ranch in addition to raising livestock and being a mine official. He was a Madison County chairman of the Producing and Marketing Association, and was president of the Revenue Mine Developing Cooperation at Norris, and was a former officer of the Madison County Mine Association. He served in the 25th session of the Legislature as a representative from Madison County. He was a member of the Democratic party and the Elks. He was married to Bessi Portia McLean and was the father of four children. He died in Norris, Montana, on February 5, 1948.

#### JOHN RAY QUIGLEY, SR.

John Ray Quigley, Sr., was born at Blackfoot City, now called Ophir, in Powell County on October 24, 1877. His father, John R. Quigley, and mother, Katherine Quigley, were pioneers of early Montana. He was, by profession, a rancher and cattleman. He was a member of the Roman Catholic church and of the Democratic party. He was the father of three children, Mrs. H. H. Kitroy, John R. Quigley, Jr., and Clifford J. Quigley, who survive him. Mr. Quigley attended district school at Ophir and Helena Business College. He served in the House of Representatives as a representative from Powell County during the 9th Legislative Assembly. He died at Butte, Montana, on December 12, 1947.

#### ROBERT J. WOOD

Robert J. Wood was born in Minot, North Dakota, on January 27, 1883. He attended the elementary and high schools of Minot. He was graduated from the University of North Dakota with a degree in pharmacy. He moved to Winnett, Montana, on January 15, 1914, and established himself in the drug business. He was a member of the Democratic party, the Masonic and Eastern Star, as well as a member of the Methodist church. He represented Petroleum County in the House during the 19th Legislative Assembly. He married Katherine E. McKay, and was the father of three children, Grace, Mildred and Ray. He served three years in Company D, state militia of North Dakota. He died on February 18, 1946.

#### Committee Members:

E. J. FOLEY,  
E. A. WILLIAMS,  
E. J. SKIBBY,  
J. A. McELWAIN.

## REPORTS OF STANDING COMMITTEES

BE IT RESOLVED by the House of Representatives of the State of Montana that the following named employees, heretofore employed by the Employment Committee of the House are to be employed for the post session for the number of days stated below and to take effect after adjournment. The Sergeant-at-Arms is instructed to include their names on the supplemental payroll submitted to the State Auditor, for the number of days stated below:

Dan J. Sullivan.....	7 days
John J. Jewell.....	7 days
Madge O'Connor.....	6 days
Thelma Dineen.....	6 days
Mabel Lundin.....	6 days
Edna Gillies.....	5 days
Louis A. Donohue.....	5 days
Bruce Toy.....	5 days
Leo Landon.....	5 days
I. A. Haswell.....	5 days
Ernest F. Huth.....	5 days
Bernice Peacock.....	2 days
Melba Gibbs.....	2 days
Paul Maxwell.....	3 days
Agnes Cline.....	2 days

HESS, Chairman.

Report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Loble that the House reconsider its action of yesterday in adopting the Committee of the Whole report regarding Senate Amendments to House Bills Nos. 435, 123 and 128. Carried.

Moved by Loble that the House segregate Senate Amendments to House Bills Nos. 435, 123 and 128 in which they appear in the report of the Committee of the Whole. Carried.

Moved by Loble that we re-adopt the Committee of the Whole report with the three mentioned bills segregated therefrom.

Moved by Domke that we reconsider our action of yesterday in adopting an unfavorable committee report with reference to Senate Bill No. 50. Carried.

Moved by Domke that Senate Bill No. 50 be placed on General Orders. Carried.

Moved by Domke that the House request the return of Senate Bill No. 50 from the Senate. Carried.

## CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and that House Bills Nos. 192, 190 and 284 be considered first.

Mr. Speaker appointed Wilson of Judith Basin to take the chair.

Committee arose with privilege of sitting again.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 192 be not concurred in, but that a Conference Committee of three be appointed to act with a like committee from the Senate.

Senate Amendments to House Bills Nos. 190 and 284 be not concurred in, but that Conference Committees be appointed to confer with like committees from the Senate.

WILSON, Chairman.

Report adopted.

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Speaker appointed Wilson of Judith Basin to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 359 be concurred in.

Senate Amendments to House Bill No. 262 be concurred in.

Senate Amendments to House Bill No. 279 be concurred in.

Senate Amendments to House Bill No. 36 be not concurred in, but a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to Substitute House Bill No. 123 be concurred in.

Senate Amendments to Substitute House Bill No. 128 be concurred in.

Senate Amendments to House Bill No. 435 be concurred in.

Senate Substitute to Substitute House Bill No. 161 be amended in Section 10, by inserting on page 8 of the mimeographed bill, the fifth line of the second underlined paragraph following the words "tax levy," the following: "which may also include a reserve fund, not to exceed 35% of the amount appropriated in the final and approved budget for the then current school year, for the purpose of maintaining the elementary and high school of the district from July 1 to November 30 of the next succeeding year."

Also amend Section 14 of the mimeographed bill by striking out in lines 6 and 7 on page 11, the words "provided for by law," following the word "reserve" the following: "fund, not to exceed 35% of the amount appropriated in the final and approved budget for the then current school year, for the purpose of maintaining the elementary and high school of the district from July 1 to November 30 of the next succeeding year," and as so amended recommend that Senate Substitute for Substitute House Bill No. 161 be concurred in.

House Bill No. 384 do pass.

WILSON, Chairman.

Report adopted.

House please take notice that the Speaker is about to sign Senate Bill No. 87.

#### MOTIONS AND RESOLUTIONS

Moved by O'Neil that Senate Amendment to House Bill No. 359 be segregated from the report of the Committee of the Whole, and that a roll call vote be taken and entered in the Journal. There being a sufficient number of seconds the following vote was taken:



Ayes: Anderson (Hill), Aronow, Barnard, Beck, Burns, Cotton, Culbertson, Dokken, Emmons, Foley, Gunderson, Harlow, Holding, Hess, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McKenna, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Peterson, Smith, Tierney, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Mr. Speaker. Total 40.

Noes: Andersen (Richland), Anderson (Phillips), Armstrong, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Hawks, Haytin, Hoiness, Howard, Laas, McCarthy, Martin, Oliver, Page (Missoula), Peters, Phillips, Pierce, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Wilson (Treasure), Working. Total 43.

Absent and not voting: Ballard, Cunningham, Duncan, McElwain, Nixon, Robertson, Sales. Total 7.

Motion lost.

Moved by Loble that we suspend the Joint Rules of the House and Senate with reference to Senate Substitute for House Substitute for House Bill No. 161. Carried.

Moved by Loble that the House request the Senate to suspend rules for the receiving of Senate Substitute for House Substitute for House Bill No. 161. Carried.

Moved by Loble that Senate Substitute for House Substitute for House Bill No. 161 be considered on Third Reading, and also House Bill No. 384. Carried.

Moved by Aronow that interpretation of the rules be referred to the Committee on Rules. Carried.

Moved by Aronow that Senate Amendment to House Bill No. 359 be passed for the day. Motion withdrawn.

Speaker asked if there is a redress from the interpretation of the chair. Aronow stated he would wait until Wednesday for this interpretation.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Substitute for House Substitute for House Bill No. 161 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Scofield, Skibby, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 80.

Noes: Brenner, Emmons, Rostad, Smith. Total 4.

Absent and not voting: Ballard, Duncan, O'Neil, Robertson, Sales, Taylor. Total 6.



Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 384 has been returned correctly printed.

O'NEIL, Chairman.

Received from the Engrossing Committee House Bill No. 384 correctly engrossed.

VAN DYKE.

House Bill No. 384 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Armstrong, Barnard, Brenner, Bricker, Clark (Silver Bow), Corcoran, Cotton, Dokken, Duppler, Dwyer, Esp, Foley, Ganson, Gebhardt, Harken, Harlow, Harpster, Hawks, Haytin, Hess, Hoiness, Howard, Hunter, Jarussi, Jensen, Koch, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulroney, Oliver, Page (Missoula), Peters, Pierce, Scofield, Standish, Taber, Tierney, Van Dyke, Westlake, Wiedman, Williams, Working, Mr. Speaker. Total 49.

Noes: Anderson (Phillips), Anderson (Hill), Beck, Blenkner, Burns, Clark (Musselshell), Culbertson, Dusak, Emmons, Ewing, Goodgame, Gunderson, Hall, Holding, Holtz, Karlberg, Krieg, Laas, McKenna, Mernin, Page (Granite), Peterson, Phillips, Rostad, Skibby, Smith, Tripp, Trout, Wilson (Judith Basin), Wilson (Treasure). Total 30.

Absent and not voting: Aronow, Ballard, Cunningham, Domke, Duncan, Frerich, Nixon, O'Neil, Robertson, Sales, Taylor. Total 11.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 25, 54, 89, Substitute 126, 165, Substitute 167, 201, 222, 230, 245, 285, Substitute 298, 326, 340, Substitute 357, 374, 397, 423, 441, 444, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:25 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: Nos. 38, Substitute 66, 209, 273, 274, 314, 329, 342, 347, 380, 391, 407.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 38.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

ESP.

House please take notice that the Speaker is about to sign Substitute House Bill No. 66.

I have examined Substitute House Bill No. 66 introduced by me and find the same to be correct.

ARONOW, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 209.

I have examined House Bill No. 209 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign House Bill No. 273.

I have examined House Bill No. 273 introduced by me and find the same to be correct.

DOKKEN.

House please take notice that the Speaker is about to sign House Bill No. 274.

I have examined House Bill No. 274 introduced by me and find the same to be correct.

DOKKEN.

House please take notice that the Speaker is about to sign House Bill No. 314.

I have examined House Bill No. 314 introduced by me and find the same to be correct.

EWING, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 329.

I have examined House Bill No. 329 introduced by me and find the same to be correct.

EWING, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 342.

I have examined House Bill No. 342 introduced by me and find the same to be correct.

TIERNEY.

House please take notice that the Speaker is about to sign House Bill No. 347.

I have examined House Bill No. 347 introduced by me and find the same to be correct.

HOWARD.

House please take notice that the Speaker is about to sign House Bill No. 380.

I have examined House Bill No. 380 introduced by me and find the same to be correct.

WESTLAKE.

House please take notice that the Speaker is about to sign House Bill No. 391.

I have examined House Bill No. 391 introduced by me and find the same to be correct.

SMITH.

House please take notice that the Speaker is about to sign House Bill No. 407.

I have examined House Bill No. 407 introduced by me and find the same to be correct.

GEBHARDT.

Speaker announced that he had appointed the following committee as House Committee on Conference on House Bill No. 136—Culbertson, Barnard, Peters.

Moved by Loble that the House recess until 11:00 A. M. tomorrow. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

## FIFTY-NINTH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
March 2, 1949.

House convened.

Mr. Speaker in the chair. Invocation by the Chaplain.

On roll call all members were present except Anderson (Hill), Beck, Ballard, Bricker, Clark (Silver Bow), Cunningham, Dusak, Harpster, Mernin, Nixon, Sales, Tierney and Williams.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Fifty-Eighth Legislative Day and find same correct.

HOLTZ, Chairman.

## COMMUNICATIONS

Hon. Leo C. Graybill, Speaker,  
All Members, Officers and Attaches of the House,  
31st Legislative Assembly,  
Helena, Montana.

Dear Friends:

I take this means of publicly acknowledging all your monderful "get well" letters and beautiful floral offerings sent me during my illness. The letters are stored up in the archives of my temple where they will be a most pleasant reminder of one of the finest groups of friends any man could become acquainted with.

Please be advised that the numerous calamities which are supposed to have befallen me are at least grossly exaggerated, if not entirely unfounded. I am still on top of this old terrestrial sphere and doing my best to kick about a lot of things.

I had sincerely hoped to be able to return to the floor of the House before being sent home, in order that I might personally thank each and every one of you for your many acts of kindness and good wishes. However, my physician moved that such action on my part be, "indefinitely postponed." And inasmuch as I had already been, "lain on the table," I thought it the better part of wisdom on my part not to enter into any extended debate on the merits of the case—much as I would have liked to have done so.

I was sent home in an ambulance and stood the trip very well, although you all know that is not a proper method of transportation for the Chairman of Fish and Game. I should at least have gone bobbing merrily down the Madison river in one of those boats from which it is now illegal to fish. I am pulling for you to adjourn on time with a balanced budget, a clear conscience, and a feeling of duty well done. I shall be looking forward to meeting all of you again in the 32nd session two years hence.

With my kindest personal regards to all of you and wishing God-speed to your homes, I am sincerely,

W. T. BALLARD,  
Fish and Game,

Entertainment,  
and  
Oh, yes—Seating.

## COMMUNICATIONS FROM THE SENATE

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President of the Senate this day, on motion, appointed the following Conference Committees to act with a like committee from the House for the consideration of Senate Amendments to the following House Bills, in accordance with the request of the House:

House Bill No. 190—Aronson, Chairman; Arnold and James.

House Bill No. 192—Aronson, Chairman; Arnold and James.

House Bill No. 439—Haight, Chairman; Ross and Larson.

House Bill No. 106—Winters, Chairman; Sawtell and Mulholland.

House Bill No. 388—Mahoney, Chairman; Gosman and Lehrkind.

House Bill No. 372—Hughes, Chairman; Markle and Wilson (Carbon).

House Bill No. 141—Toman, Chairman; Valiton and Wenger.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Joint Conference Committee, appointed to consider House Bill No. 231, a bill for an act entitled: "An act to appropriate money for the purpose of paying expenses to be incurred by the Bureau of Vocational Rehabilitation for the remainder of the current fiscal year ending June 30, 1949, it having been determined that the appropriation made by the Thirtieth Legislative Assembly is insufficient."

Respectfully report as follows that after conferring jointly on the Senate Committee on Finance and Claims amendment to said H. B. No. 231, to amend Section 1, page 1, line 20 of the Original Bill, being Section 1, page 1, line 5a of the Printed Bill, by striking out the words and figures "Five Thousand Dollars . . . \$5,000.00" and inserting in lieu thereof the words and figures "Two Thousand Dollars . . . \$2,000.00"

We hereby recommend that the Senate recede from the said amendment.

For the Senate:

ROSS,  
WALSH,  
LEHRKIND.

For the House:

COTTON,  
TAYLOR,  
MacDONALD.

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 231 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan,

Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Cunningham, Dusak, Harpster, Mernin, Nixon, O'Neil, Phillips, Sales, Van Dyke, Wiedman. Total 13.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

MICHEL, Chairman.

Report adopted.

The Honorable President of the Senate,

The Honorable Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to Substitute House Bill No. 141, having duly considered such amendments, respectfully report and recommend as follows:

That the Senate recede from its amendments to Section 1, page 2, line 4, of the Original Bill, being page 1, line 5, of the Printed Bill, leaving the figure \$9,000.00, as salaries for the Justices of the Supreme Court.

That the House of Representatives concede to all other Senate Amendments to said Substitute House Bill No. 141.

For the Senate:

TOMAN,  
VALITON,  
WENGER.

For the House:

HESS,  
McELWAIN,  
ARONOW.

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 141 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Mus-selshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 79.

Noes: None.



Absent and not voting: Ballard, Bricker, Cunningham, Dusak, Gunderson, Harpster, Mernin, Nixon, Sales, Tripp, Van Dyke. Total 11.

Mr. Speaker: We, your Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 372:

A bill for an act entitled: "An act to amend Chapter 82 of the Montana Session Laws of 1937, as amended by part IX of Chapter 5, of the Montana Session Laws of 1941, and as amended by Chapter 216 of the Montana Session Laws of 1947, by amending Section 3, 4 and 8 of part IX of chapter 5, of the Montana Session Laws of 1941, providing increased payments to persons having silicosis as defined in the act and by authorizing such additional appropriations as may be necessary to make such increased payments."

respectfully report as follows:

The House concedes to the Senate Amendment and that Section 1 of said bill be further amended by inserting after the word "occupation," being the last word in said Senate amendment, the following:

"The term 'gainful occupation' as used herein shall not be construed to mean occasional or intermittent light employment where the ability to do manual labor is not essential."

House Conference Committee:

EMMONS, Chairman,  
ARMSTRONG.

Senate Conference Committee:

HUGHES, Chairman,  
MARKLE,  
WILSON (Carbon).

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 372 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Ballard, Bricker, Cunningham, Dusak, Harpster, Mernin, Nixon, Sales, Tripp, Van Dyke. Total 10.

Speaker stated that he appointed the following members to serve on the Conference Committee on Senate Amendments to House Bill No. 115: Harlow, Working and Robertson.

The Honorable President of the Senate.

The Honorable Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 36, a bill for an act entitled: "An act to amend Section 1805.25 of the Revised Codes of Montana, 1935, as amended by Section 6 of chapter 207, of the Montana Session Laws, 1945, and by

Section 3 of chapter 254, of the Montana Session Laws, 1947, providing for an increase in the rental rate of state lands."

Respectfully report as follows: That Section 2 of said Senate Amendment be amended in line 19 by striking out the figures "1948" and inserting in lieu thereof the figures "1952."

That the House concedes to the Senate Amendments as amended to said House Bill No. 36.

For the Senate:

LOTT,  
ROSS,  
ANDERSON

For the House:

CULBERTSON,  
BARNARD,  
PETERS.

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 36 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Dupp-ler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Armstrong, Ballard, Bricker, Cunningham, Duncan, Ewing, Harlow, McElwain, McKenna, Nixon, Phillips, Sales, Taylor, Van Dyke, Westlake, Wiedman. Total 16.

#### MESSAGES FROM THE SENATE

March 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day refused to concur in the House Amendments to Senate Bill No. 114 and request the House to appoint a Conference Committee to act with a like committee from the Senate for the consideration of said amendments.

The President named the following Conference Committee for the Senate: Doggett, Chairman; Worden, Hofland.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Speaker stated that he appointed the following members to serve on the Conference Committee on House Amendments to Senate Bill No. 114: Harlow, Robertson and Working.

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the

Senate this day acceded to the request of the House for the return of Senate Bill No. 50 for further consideration and the same is herewith returned to the House.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day recommended for non-concurrence by committee action, reports adopted, and the bills are herewith returned to the House:

House Bill No. 266 by Barnard—Public Lands Committee.

House Bill No. 346 by Emmons et al—Judiciary Committee.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and the following action taken:

House Bill No. 241 by Domke et al, concurred in.

House Bill No. 442 by Appropriations Committee, concurred in as amended.

House Bill No. 443 by Appropriations Committee, concurred in as amended.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Aronow that Senate Amendments to House Bill No. 359 be taken from Third Reading and be placed on General Orders. Carried.

Moved by Loble that Senate Bill No. 50 just returned from the Senate be placed on General Orders. Carried.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 38, Substitute House Bill No. 66, House Bills Nos. 209, 273, 274, 314, 329, 342, 347, 380, 391 and 407 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 9:05 o'clock, P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

#### MESSAGES FROM THE SENATE

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like committee from the House for the

consideration of Senate Amendments to House Bill No. 36 in accordance with the request of the House:

Senate Committee: Lott, Ross and Anderson.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 262 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peters, Robertson, Rostad, Scofield, Skibby, Standish, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 60.

Noes: Goodgame. Total 1.

Absent and not voting: Ballard, Brenner, Bricker, Cotton, Cunningham, Duncan, Dusak, Dwyer, Gebhardt, Hall, Harpster, Krieg, MacDonald, Martin, Nixon, O'Neil, Page (Missoula), Peterson, Phillips, Pierce, Sales, Smith, Taber, Taylor, Tierney, Tripp, Van Dyke, Westlake, Working. Total 29.

Senate Amendments to House Bill No. 279 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Clark (Musselshell), Corcoran, Culbertson, Domke, Duppler, Emmons, Esp, Ewing, Foley, Frerich, Goodgame, Gunderson, Harken, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, Page (Granite), Peters, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Standish, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 55.

Noes: None.

Absent and not voting: Aronow, Ballard, Brenner, Bricker, Burns, Clark (Silver Bow), Cotton, Cunningham, Dokken, Duncan, Dusak, Dwyer, Ganson, Gebhardt, Hall, Harlow, Harpster, Hawks, Haytin, Howard, Krieg, MacDonald, Martin, Nixon, O'Neil, Page (Missoula), Peterson, Smith, Taber, Taylor, Tierney, Tripp, Van Dyke, Westlake, Working. Total 35.

Senate Amendments to Substitute House Bill No. 123 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Armstrong, Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Hawks, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels,

Mulroney, Oliver, Page (Granite), Peters, Peterson, Pierce, Robertson, Rostad, Sales, Skibby, Standish, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 62.

Noes: None.

Absent and not voting: Anderson (Hill), Ballard, Brenner, Bricker, Clark (Silver Bow), Cunningham, Duncan, Dusak, Ewing, Hall, Harlow, Harpster, Hess, Howard, Koch, Martin, Nixon, O'Neil, Page (Missoula), Phillips, Scofield, Smith, Taber, Taylor, Tierney, Tripp, Van Dyke, Westlake. Total 28.

Senate Amendments to Substitute House Bill No. 128 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dwyer, Emmons, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Pierce, Robertson, Skibby, Taber, Tierney, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Armstrong, Ballard, Brenner, Bricker, Clark (Silver Bow), Cunningham, Dusak, Esp, Harlow, Harpster, Howard, Martin, Nixon, Page (Missoula), Phillips, Rostad, Sales, Scofield, Smith, Standish, Taylor, Van Dyke, Westlake. Total 23.

## INTRODUCTION OF BILLS AND MEMORIALS

Duncan asked unanimous consent of the House for introduction of a bill for payment of the expenses of state government.

Thereupon the following measure was introduced, read first and second times, and having been read at length, referred to committee:

House Bill No. 451, introduced by Committee on Appropriations: A bill for an act entitled: "An act making appropriations for the State Public School General Fund and providing for the manner of distribution thereof for the period beginning July 1, 1949 and ending June 30, 1951." Referred to Committee on Appropriations.

Duncan asked permission to have the members of the Appropriations Committee excused.

Senate Amendment to House Bill No. 435 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dokken, Domke, Duppler, Dusak, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Hall, Harken, Harpster, Haytin, Holding, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Rostad, Scofield, Skibby, Standish, Taber, Tripp, Trout, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 67.

Noes: None.



Absent and not voting: Ballard, Brenner, Bricker, Cotton, Cunningham, Duncan, Dwyer, Gunderson, Harlow, Hawks, Hess, Krieg, MacDonald, Martin, Nixon, Pierce, Robertson, Sales, Smith, Taylor, Tierney, Van Dyke, Westlake. Total 23.

## MESSAGES FROM THE GOVERNOR

March 2, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following: House Bills Nos. 25, 38, 54, 89, 222, 230, 245, 326, 357, 374, 397, 441 and 444.

JOHN W. BONNER,  
Governor.

Moved by Loble that House Bill No. 451 be considered correctly printed and placed on General Orders.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 109, 139, 174, 175, 182, 189, Substitute 191, Substitute 226, 242, 272, 303, 352, 362, 420, 434, 446.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 109.

I have examined House Bill No. 109 introduced by me and find the same to be correct.

HELDING.

House please take notice that the Speaker is about to sign House Bill No. 139.

I have examined House Bill No. 139 introduced by me and find the same to be correct.

O'NEIL.

House please take notice that the Speaker is about to sign House Bill No. 174.

I have examined House Bill No. 174 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 175.

I have examined House Bill No. 175 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 182.

I have examined House Bill No. 182 introduced by me and find the same to be correct.

KRIEG.

House please take notice that the Speaker is about to sign House Bill No. 189.

I have examined House Bill No. 189 introduced by me and find the same to be correct.

BECK, Vice Chairman.

House please take notice that the Speaker is about to sign Substitute House Bill No. 191.

I have examined Substitute House Bill No. 191 introduced by me and find the same to be correct.

BECK, Vice Chairman.

House please take notice that the Speaker is about to sign Substitute House Bill No. 226.

I have examined Substitute House Bill No. 226 introduced by me and find the same to be correct.

HESS, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 242.

I have examined House Bill No. 242 introduced by me and find the same to be correct.

HOLTZ.

House please take notice that the Speaker is about to sign House Bill No. 272.

I have examined House Bill No. 272 introduced by me and find the same to be correct.

LOUGHRAN.

House please take notice that the Speaker is about to sign House Bill No. 303.

I have examined House Bill No. 303 introduced by me and find the same to be correct.

EWING, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 352.

I have examined House Bill No. 352 introduced by me and find the same to be correct.

GUNDERSON.

House please take notice that the Speaker is about to sign House Bill No. 362.

I have examined House Bill No. 362 introduced by me and find the same to be correct.

HARLOW.

House please take notice that the Speaker is about to sign House Bill No. 420.

I have examined House Bill No. 420 introduced by me and find the same to be correct.

HARLOW.

House please take notice that the Speaker is about to sign House Bill No. 434.

I have examined House Bill No. 434 introduced by me and find the same to be correct.

BARNARD.

House please take notice that the Speaker is about to sign House Bill No. 446.

I have examined House Bill No. 446 introduced by me and find the same to be correct.

DUNCAN, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 do pass.

DUNCAN, Chairman.

Report adopted.

House resumed.

## CONSIDERATION OF MESSAGES FROM THE SENATE

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like committee from the House for the consideration of Senate Amendments to House Bill No. 284, in accordance with the request of the House:

Senators Aronson, Chairman; Arnold, James.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

March 2, 1949.

To the Honorable President of the Senate  
and  
The Honorable Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 106, having duly considered such amendment, respectfully report as follows:

That the said Senate Amendment to House Bill No. 106 be amended by striking out the word and figures 'sixteen (16)' and inserting in lieu thereof the word and figures "eighteen (18)."

For the Senate:

WINTERS,  
SAWTELL,  
MULHOLLAND.

For the House:

DUSAK,  
HARPSTER,  
TRIPP.

The report of the Joint Conference Committee on Senate Amendment to House Bill No. 106 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McKenna, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total  
72.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Cunningham, Goodgame, Hess, Hunter, Krieg, MacDonald, McElwain, Nixon, Page (Missoula), Sales, Tierney, Van Dyke, Westlake, Wiedman, Williams. Total 18.

### CONSIDERATION OF GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting and that we first consider House Bill No. 451 and Senate Amendment to House Bill No. 442.

Mr. Speaker appointed Brenner of Beaverhead to take the chair.

Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

House Bill No. 451 do pass.

Senate Amendments to House Bill No. 442 be concurred in.

Senate Amendments to House Bill No. 443 be not concurred in, and a Conference Committee of three be appointed to confer with a like number from the Senate.

Senate Bill No. 50 be concurred in.

Senate Joint Resolution No. 3 be concurred in.

Senate Amendments to House Bill No. 359 be not concurred in, and a Conference Committee of three be appointed to confer with a like number from the Senate.

BRENNER, Chairman.

Report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Loble that House Bill No. 451 be considered correctly engrossed and placed on third reading. Carried.

Conference Committee on Senate Amendments to House Bill No. 443 appointed by the Speaker: O'Neil, Taylor and Krieg.

### THIRD READING OF BILLS

The following measures having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 451 was passed by the following vote and transmitted to the Senate for concurrence:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Dekken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp. Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Robertson, Scofield, Skibby, Smith, Standish,

Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Aronow, Ballard, Barnard, Bricker, Cotton, Cunningham, McKenna, Mernin, Nixon, Pierce, Rostad, Sales, Van Dyke. Total 13.

Senate Amendments to House Bill No. 442 were concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Rostad, Scofield, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Cunningham, Duppler, Hall, Laas, McKenna, Mernin, Nixon, Phillips, Pierce, Sales, Skibby, Van Dyke. Total 15.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Cunningham, Dokken, Hall, McElwain, McKenna, Mernin, Nixon, Sales, Van Dyke, Wiedman. Total 13.

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, Michels, Mulrone, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Standish, Taber, Taylor, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 71.



Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Clark (Musselshell), Cunningham, Hall, Krieg, MacDonald, McElwain, McKenna, Martin, Mernin, Nixon, Oliver, Sales, Smith, Tierney, Van Dyke, Wiedman. Total 19.

House please take notice that the Speaker is about to sign Senate Bill No. 64.

March 2, 1949.

The Honorable President of the Senate,  
The Honorable Speaker of the House:

We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 388 having duly considered such amendments, respectfully report as follows:

That said Senate Amendment amending Section 1, page 1, lines 20 and 21 of the original bill, being lines 6 and 7 of the printed bill, by striking out the words and figures "Twenty-four Thousand Eight Hundred Twenty-two Dollars and Fifty Cents . . . \$24,822.50" and inserting in lieu thereof the words and figures "Thirty-one Thousand Six Hundred Fifty Dollars . . . \$31,650.00," be amended by inserting in lieu of the words and figures "Thirty-one Thousand Six Hundred Fifty Dollars . . . \$31,650.00" the words and figures "Twenty-five Thousand Six Hundred Fifty Dollars . . . \$25,650.00"

That the House of Representatives conceded to all other Senate Amendments to said House Bill No. 388.

For the Senate:

MAHONEY,  
LEHRKIND,  
GOSMAN.

For the House:

PETERSON,  
O'NEIL,  
BRENNER.

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 388 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Scofield, Skibby, Smith, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Aronow, Ballard, Bricker, Burns, Cunningham, Ewing, Harlow, Haytin, Hunter, MacDonald, McElwain, McKenna, Martin, Mernin, Nixon, Phillips, Rostad, Sales, Standish, Taylor, Van Dyke, Williams, Working. Total 23.

#### MESSAGES FROM THE GOVERNOR

March 2, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is House Bill No. 201 entitled: "An act relating to

the insurance laws of the State of Montana providing for the revision and recodification thereof; directing the State Auditor and Ex Officio Commissioner of Insurance to prepare the same; and making an appropriation therefor,"

Without my approval and with objections thereto.

In a nutshell this bill provides that \$8,000 of the money of the people of the State shall be spent for a revision and recodification of the laws of the State of Montana relating to the regulation of insurance and the supervision thereof.

The State of Montana has already appropriated \$121,000 for a new recodification of the laws and of this sum this legislature has appropriated \$39,955.

If the insurance companies desire a separate volume of laws pertaining only to them it would appear that their able lawyers could prepare such a volume at their own expense and not at the expense of the taxpayers.

JOHN W. BONNER,  
Governor.

Governor's veto on House Bill No. 201 was sustained by the House by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Silver Bow), Corcoran, Cotton, Dokken, Dornke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Bricker, Clark (Musselshell), Culbertson, Cunningham, Gebhardt, Haytin, Holding, Laas, McElwain, McKenna, Nixon, Tripp, Van Dyke, Wiedman. Total 17.

March 2, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is House Bill No. 339 entitled: "An act to amend section 10,400.5 of the Revised Codes of Montana, 1935, pertaining to lien and payment of inheritance tax, to provide that such lien shall expire ten years after death of transferor of property subject to such tax except in cases where estates are involved,"

without my approval and with objections thereto.

As far as we are concerned the present inheritance laws of the State of Montana provide that such taxes shall be due and payable at the time of the death of the decedent and that such taxes shall be and remain a lien upon any property transferred until they are paid. In other words, under the law as it is now the inheritance tax attaches effective on decedent's death and remains a lien until paid.

Under this bill if the property had been transferred in contemplation of death the heir could postpone probate for ten years from the time of

death of the decedent and thus escape inheritance taxes which would be repugnant to the spirit of our inheritance tax laws and permit inequities in inheritance tax payments.

JOHN W. BONNER,  
Governor.

Governor's veto on House Bill No. 339 was sustained by the House by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Beck, Blenkner, Brenner, Burns, Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Martin, Mernin, Michels, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Sales, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Duncan, Working. Total 75.

Noes: Koch, McElwain, Mulroney, Mr. Speaker. Total 4.

Absent and not voting: Aronow, Ballard, Barnard, Bricker, Clark (Musselshell), Cunningham, McKenna, Nixon, Rostad, Van Dyke, Wiedman. Total 11.

Honorable President of the Senate:

Honorable Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 439, having duly considered such amendments, beg to report and recommend as follows:

That we concur in Senate Amendment to Section 1, page 1, line 31 and 32 of the original bill, being Section 1, page 1, line 14 of the printed bill.

And we do not concur on the Senate Amendment to Section 1, page 2, lines 1, 2, 3 and 4 of the original bill, being Section 1, page 1, lines 15, 16, 17 and 18 of the printed bill. Instead we recommend the following amendment: To be inserted in Section 1, page 2, lines 1, 2, 3 and 4 of the original bill, being Section 1, page 1, lines 15, 16, 17 and 18 of the printed bill to read as follows:

"Supervised instruction in health, physical education and recreation from the common school equalization fund for expenses, Six Hundred Forty Dollars . . . \$640.00."

For the Senate:

HAIGHT,  
LARSON,  
ROSS.

For the House:

WESTLAKE,  
WORKING,  
KRIEG.

The report of the Joint Conference Committee on Senate Amendments to House Bill No. 439 was concurred in by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi,

Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, Mernin, Michels, Mulroney, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Armstrong, Aronow, Ballard, Bricker, Cunningham, Ewing, Foley, Gebhardt, Harlow, Harpster, Howard, McElwain, McKenna, Martin, Nixon, Oliver, Rostad, Sales, Taylor, Van Dyke, Wiedman, Working. Total 22.

## MOTIONS AND RESOLUTIONS

### House Resolution No. 6

Introduced by Frerich, Wiedman, Hawks, Harken, Anderson (Phillips); a resolution to the House of Representatives of the State of Montana to the President of the United States and the Congress of the United States requesting that the federal congress enact suitable legislation to grant full citizenship to the competent Indians:

WHEREAS, Indian war veterans and non-veterans of the several Indian reservations of the State of Montana have requested the help of this Legislative Assembly in urging the Congress of the United States to enact suitable legislation to enable the Indian to enjoy the rights, duties and privileges of full citizenship; and

WHEREAS, a large majority of the Indians of Montana have now reached or attained educational standards that fit them to manage their own affairs; and

WHEREAS, individual allotments are now held in trust by the government of the United States irrespective of the competency of the Indian; and

WHEREAS, many Indians are now, and have been for many years engaged in various occupations and trades, both on and off the reservations, but are still carried on the rolls of the several reservations as wards of the government, and as such denied the right to operate their own business, to obtain loans on their lands, or to sell or dispose of the same, and in like manner, Indian veterans are now denied the right to obtain G. I. loans on their lands, thus depriving them of the benefits offered other veterans by the Veterans' Administration; and

WHEREAS, the present policy of the Bureau of Indian Affairs, in interpreting the status of the Indian under the existing acts of Congress tend to restrict rather than advance the self-reliant capabilities of the Indian;

NOW THEREFORE BE IT RESOLVED, by the House of Representatives of the Thirty-First Legislative Assembly of the State of Montana, that we expressly urge the Congress of the United States to enact proper legislation to enable the competent Indians to enjoy all the rights, duties and privileges of full citizenship now enjoyed by all other citizens of the United States of America.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the United States, to the President Pro Tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Honorable James E. Murray and Zales N. Ecton, Senators from Montana, and the Honorable Mike Mansfield and Wesley A. D'Ewart, Representatives in Congress from Montana, and to Julius A. Krug, Secretary of the Interior, and to the Commissioner of Indian Affairs.

Speaker appointed the following to serve on Joint Conference Committee on Senate Amendments to House Bill No. 359: Aronow, Holding and Haytin.

Moved by Loble that the House Adjourn until 10:30 A. M., Thursday, March 3, 1949. Carried.

LEO C. GRAYBILL,  
Speaker.

DAN J. SULLIVAN, Chief Clerk.

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## SIXTIETH LEGISLATIVE DAY

House of Representatives,  
Helena, Montana,  
March 3, 1949.

House convened.

Mr. Speaker in chair. Invocation by Chaplain.

On roll call, all members were present except Ballard and Sales.

## CONSIDERATION OF MESSAGES FROM THE SENATE

March 2, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day refused to concur in House Amendments to Senate Bill No. 139 and requests that a Conference Committee be appointed to act with a like committee from the Senate for the consideration of said amendments. The Senate named the following committee: Gosman, Larson and Wenger.

And the Senate this day concurred in, title and history agreed to, and returned to the House, House Bill No. 447 by Appropriations Committee.

And named the following Conference Committees from the Senate to act with like committees from the House for the consideration of Senate amendments to House bills, as follows:

For consideration of Senate Amendments to House Bill No. 443: Liggett, Haight and Angstman;

For consideration of Senate Amendments to House Bill No. 359: Gosman, Larson and Wenger;

And concurred in, as amended, title and history agreed to and returned to House for concurrence in Senate amendments: House Bill No. 384 by Loble, House Bill No. 331 by Loble, and House Bill No. 383 by Loble et al.

And on roll call vote, this day adopted the report of the Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 388, and Senate Amendments to House Bill No. 192 and Senate Amendments to House Bill No. 443.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Duncan that the report of the Joint Conference Committee on House Bill No. 443 be not accepted, but that a new conference committee of three be appointed and a like committee from the Senate. Carried.



March 2, 1949.

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 443 having duly considered such amendments, respectfully report as follows:

That said Senate Amendment amending Section 2, page 4, line 28 of the original bill, being Section 2, page 4, lines 75 and 76 of the printed bill, by striking out the words and figures "Three Hundred Fifty Thousand Dollars . . . \$350,000.00" and inserting in lieu thereof the words and figures "Three Hundred Thousand Dollars . . . \$300,000.00" the words and figures "Three Hundred Twenty-five Thousand Dollars . . . \$325,000.00."

That the House of Representatives conceded to all other Senate Amendments to said House Bill No. 443.

For the Senate:

LIGGETT, Chairman,  
ANGSTMAN,  
HAIGHT.

For the House:

O'NEIL,  
TAYLOR,  
KRIEG.

### GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting.

Mr. Domke of Cascade was asked to take the chair.

Committee arose.

Mr. Speaker in the chair.

March 3, 1949.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration, the following measures, recommend:

Senate Amendments to House Bill No. 331 be not concurred in, but that a Conference Committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 384 be concurred in.

Senate Amendments to House Bill No. 383 be concurred in.

DOMKE, Chairman.

Report adopted.

The Speaker appointed the following Representatives to serve on the House Joint Conference Committee on Senate Amendments to House Bill No. 331: Peterson, Loble and McElwain.

The Speaker appointed the following Representatives to serve on the Joint Conference Committee on Senate Amendments to House Bill No. 443: O'Neil, Krieg and MacDonald.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history

and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Amendments to House Bill No. 384 was passed by the following vote:

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Duncan, Dusak, Dwyer, Esp, Foley, Frerich, Ganson, Gebhardt Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: Anderson (Phillips). Total 1.

Absent and not voting: Ballard, Corcoran, Domke, Duppler, Emmons, Ewing, Loughran, Martin, Mernin, Sales and Wiedman. Total 11.

Senate Amendments to House Bill No. 383 was passed by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cuninghame, Dokken, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jensen, Karlberg, Koch, Laas, Loble, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Armstrong, Ballard, Burns, Domke, Jarussi, Krieg, Loughran, Martin, Mernin, Nixon, Sales, Van Dyke and Wiedman. Total 13.

Moved by Loble, that if it is necessary and due to the inability of the Chief Clerk to sign the Journal, that John J. Jewell be authorized to sign same. Carried.

## CONFERENCE COMMITTEE REPORT

February 28, 1949.

Mr. Speaker: We, your Joint Conference Committee having had under consideration Senate Amendments to House Bill No. 341, a bill for an act entitled: "An act to amend Section 2815.124, Revised Codes of Montana, 1935, relating to canvassing, etc., for orders for sale of spirits, wines, and malt liquors, and advertising spirits, wines and malt liquors, and providing that the advertising of beer shall conform to the Montana beer act."

Respectfully report as follows: That Senate Amendments to House Bill No. 341 be concurred in.

For the House:

TIERNEY, Chairman,  
O'NEIL,  
BRICKER.

For the Senate:

SAWTELL,  
PADBURY,  
BOVEY.

Moved by Tierney that the report be adopted.

Substitute motion by Hoiness that the Conference Committee report be not adopted and that a new committee of three be appointed to confer with a like committee from the Senate.

Substitute motion for all pending motions by Tripp that further consideration of House Bill No. 341 be indefinitely postponed. Carried.

### CONFERENCE COMMITTEE REPORT

March 2, 1949.

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 192, a bill for an act entitled: "An act to amend Section 2381.12 of the Revised Codes of Montana, 1935, relating to the license tax levied on dealers in gasoline; and repealing all acts and parts of act in conflict therewith."

Respectfully report as follows: That the House concedes to the Senate Amendments as amended to said House Bill No. 192.

For the Senate:

ARONSON, Chairman,  
ARNOLD,  
JAMES.

For the House:

NIXON,  
CUNNINGHAM,  
BRICKER.

Joint Conference Committee report adopted by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Frerich, Ganson, Gebhardt, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Hawks, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 78.

Noes: Foley, Mernin and Tierney. Total 3.

Absent and not voting: Aronow, Ballard, Duncan, Haytin, Jensen, Martin, Phillips, Sales, Wiedman. Total 9.

Mr. Speaker: We, your Committee on Printing, do hereby report that House Bill No. 451 has been returned correctly printed.

O'NEIL, Chairman.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the 59th Legislative Day and find same correct.

HOLTZ, Chairman.

#### MESSAGES FROM THE GOVERNOR

March 2, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following:

House Bill No. 109.

House Bill No. 121.

House Bill No. 139.

House Bill No. 174.

House Bill No. 175.

House Bill No. 182.

House Bill No. 189.

Substitute House Bill No. 191.

House Bill No. 242.

House Bill No. 272.

House Bill No. 273.

House Bill No. 285.

House Bill No. 303.

House Bill No. 352.

House Bill No. 380.

House Bill No. 391.

House Bill No. 434.

House Bill No. 446.

JOHN W. BONNER,  
Governor.

#### REPORTS OF SELECT COMMITTEES

##### HOUSE RESOLUTION NO. 7

Be it resolved by the House of Representatives of the Thirty-First Legislative Assembly of the State of Montana:

That the Special Committee appointed to investigate the affairs, business and operations of the Montana Liquor Control Board and its employees, be granted authority to continue its work during the interim between the Thirty-first and the Thirty-second Legislative Assemblies and

make report of its findings to the House of Representatives of the Thirty-second Legislative Assembly.

This committee shall have power to subpoena witnesses, compel their attendance, administer oaths, and examine them; examine any and all state records and documents pertinent to the subject of inquiry, and employ such person, or persons, as may be necessary to conduct such investigation.

The authority granted to said House Committee shall be effective immediately upon ratification by the House of Representatives.

The expense of any investigation of the said House Committee shall not exceed the sum of One Thousand Dollars (\$1,000.00) and shall be paid upon vouchers signed by the Chairman of the Committee, out of funds appropriated for legislative expense of the Thirty-first Legislative Assembly.

(Signed): LOBLE.

Report adopted.

February 25, 1949.

Mr. Speaker: We, your Committee on Enrolling to whom was referred House Bills Nos. 232, 261, 223, Substitute House Bill No. 163, House Bills Nos. 333, 302, 288, 381, 304, 376, 353 and 183 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:30 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign Senate Substitute for House Substitute for House Bill No. 161.

House please take notice that the Speaker is about to sign Senate Bill No. 50.

House please take notice that the Speaker is about to sign Senate Joint Resolution No. 3.

Moved by Loble that the House recess at the call of the chair.

### CONFERENCE COMMITTEE REPORT

March 3, 1949.

The Honorable Speaker of the House:

The Honorable President of the Senate:

We, your Joint Conference Committee, appointed for the purpose of considering Senate Amendments to House Bill No. 284, the same being a bill for an act entitled: "An act to provide for a use tax on trucks, trailers, and semi-trailers, operating over and upon the highways of the State of Montana; providing for the rate of such tax; providing for the collection thereof by the county treasurers of the respective counties in the State of Montana; providing for the deposit of 95% of the proceeds of said tax in the state highway general fund in the State Treasury; providing for blanks to be provided to the county treasurers by the Montana Highway Commission; providing for reciprocity as provided in Section 1760.7 of the Revised Codes of Montana, 1935, as amended by Chapter 93, Laws of the Twenty-sixth Legislative Assembly of Montana, 1939, and Chapter 296, of the Thirtieth Legislative Assembly of Montana, 1937; providing for exceptions for motor vehicles operating for hire exclusively within limits of incorporated cities or towns or within two miles of such limits; providing for the retention of 5% of said tax by the said county treasurer; providing for the enforcement of the act and penalties for the violation thereof; provid-



ing for the effective date of the act and repealing all acts and parts of acts in conflict herewith." Do hereby report and recommend as follows:

1. That Senate Amendments to the title be concurred in, and recommend that the title be further amended by striking the word "use," in line 1, of the original bill, before the word "tax;" that the title be further amended by inserting in line 3, of the original bill after the word "Montana" and before the semi-colon, the following words: "and a tax on new passenger motor vehicles on which no property tax has been paid and for which the purchaser thereof seeks to have licensed in the State of Montana."; That the title be further amended by striking therefrom the words: "and repealing all acts and parts of acts in conflict herewith."

2. Strike Senate Amendment to Section 1 and insert in lieu thereof, the following: "Section 1. That in consideration of the right to use the highways of the State of Montana and from and after the 1st day of January, 1950, there shall be imposed upon all trucks operating over and upon the highways of the State of Montana a tax based upon the following table:

For trucks of one (1) ton capacity or under, Five Dollars (\$5.00);

For trucks of over one (1) ton and up to and including one and one-half (1½) ton capacity, Ten Dollars (\$10.00);

For trucks over one and one-half (1½) ton and up to and including two (2) ton capacity, Twenty-two Dollars and Fifty Cents (\$22.50);

For trucks over two (2) ton and less than three (3) ton capacity, Thirty-seven Dollars and Fifty Cents (\$37.50);

For trucks over three (3) ton capacity up to five (5) ton capacity, Sixty Dollars (\$60.00);

For trucks over five (5) ton capacity, One Hundred Dollars (\$100.00).

That in consideration of the right to use the highways of the State of Montana and from and after the 1st day of January, 1950, there shall be imposed upon all trailers and semi-trailers operating over or upon the highways of the State of Montana a tax based on the following table:

For trailers and semi-trailers of one (1) ton capacity and under, Two Dollars (\$2.00);

For trailers and semi-trailers over one (1) ton up to and including two (2) ton capacity, Fifteen Dollars (\$15.00);

For trailers and semi-trailers over two (2) ton and less than three (3) ton capacity, Twenty-five Dollars (\$25.00);

For trailers and semi-trailers of three (3) ton and less than four (4) ton capacity, Thirty Dollars (\$30.00);

For trailers and semi-trailers of four (4) ton up to five (5) ton capacity, Thirty-five Dollars (\$35.00);

For trailers and semi-trailers over Five (5) ton capacity, One Hundred dollars (\$100.00).

3. The Senate recedes from its amendment to Section 2.

4. Strike out Senate Amendment to Section 3 and insert in lieu thereof the following:

"Section 3. That in consideration of the right to use the highways of the State of Montana and from and after the first day of January, 1950, there shall be imposed upon all automobiles required to be registered under Section 1759, Revised Codes of Montana, 1935, as amended, used by any company, corporation, partnership, individual, or business association, operating over or upon the highways of the State of Montana, a tax for

highway maintenance purposes of three dollars (\$3.00) per vehicle, provided that when such automobile is originally registered under Section 1759, Revised Codes of Montana, 1935, as amended, after June 30 of the year for which application is made, the tax for highway maintenance purposes shall be one dollar and fifty cents (\$1.50) per vehicle.

Owners or operators of out-of-state trucks, trailers and semi-trailers which are not registered and licensed in the State of Montana under the provisions of Section 1759, Revised Codes of Montana, 1935, as amended, if no annual license is applied for under the provisions of this act, shall apply for a temporary license based upon the following table:

A truck, trailer or semi-trailer carrying a pay load of five (5) tons for ten (10) days, five dollars (\$5.00);

A truck, trailer or semi-trailer carrying over five (5) tons and up to and including ten (10) tons for ten (10) days, Ten Dollars (\$10.00);

A truck, trailer, or semi-trailer carrying ten (10) tons or more for ten (10) days, Twenty Dollars (\$20.00).

Or all trucks, trailers or semi-trailers may secure a license for three (3) months for twenty-five per cent (25%) of the regular tax set forth in Section 1 of this act; or for six (6) months for fifty per cent (50%) of the regular tax set forth in said Section 1.

5. Your Conference Committee further recommends that House Bill No. 284 be amended by inserting a new section between Sections 3 and 4 of the original bill to be numbered Section 3-A, as follows:

"Section 3-A. That in consideration of the right to use the highways of the State of Montana and from and after the passage and approval of this act, there shall be imposed upon all new passenger motor vehicles for which a license is sought and which have not been otherwise assessed and not subject to assessment and taxation in Montana, an use tax as follows: If purchased between January 1, and April 1, in any year, a tax of Thirty-two Dollars (\$32.00); if purchased between April 1, and July 1, in any year, a tax of Twenty-four Dollars (\$24.00); if purchased between July 1 and October 1, in any year, a tax of Sixteen Dollars (\$16.00); and if purchased between October 1 and December 31, in any year, a tax of Eight Dollars (\$8.00). The tax herein provided for shall not be imposed or collected from the purchaser of any new passenger motor vehicle on which a property tax as now provided by law, has been imposed and paid."

6. That Senate Amendment to Section 4 be stricken and in lieu thereof insert after the word "semi-trailers" on page 2, line 32, of the original bill, being lines 1 and 2, Section 4 of the printed bill, the words: "or new passenger automobiles." That the House concurs in the further Senate Amendment to Section 4, whereby the figures "1950" in line 2 on page 3 of the original bill, are stricken.

7. The House concurs in Senate Amendments to Section 8.

8. The House concurs in Senate Amendments to Section 9.

9. The House concurs in Senate Amendments to Section 10.

10. The Senate recedes from its amendment to Section 12.

11. That Senate Amendment to Section 13 be stricken and the following be inserted in lieu thereof:

"Section 13. This act shall be in full force and effect from and after

the first day of January, 1950, and continue in full force and effect until December 31, 1951."

12. The House concedes Senate Amendment to Section 14.

For the Senate:

ARONSON, Chairman,  
ARNOLD,  
JAMES.

For the House:

NIXON,  
CUNNINGHAM,  
BRICKER.

Joint Conference Committee report on Senate Amendments to House Bill No. 284 was passed by the following vote:

Ayes: Aronow, Barnard, Blenkner, Bricker, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duppler, Dwyer, Foley, Gebhardt, Harken, Harlow, Harpster, Holding, Hoiness, Howard, Hunter, Jarussi, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, Michels, Mulroney, Nixon, Page (Missoula), Phillips, Pierce, Skibby, Standish, Taber, Tierney, Van Dyke, Williams, Wilson (Judith Basin), Working, Duncan and Mr. Speaker. Total 46.

Noes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Beck, Burns, Clark (Musselshell), Corcoran, Emmons, Esp, Ewing, Ganson, Goodgame, Gunderson, Hall, Hawks, Hess, Holtz, Oliver, O'Neil, Peters, Peterson, Robertson, Rostad, Scofield, Smith, Tripp, Trout, Wiedman and Wilson (Treasure). Total 29.

Absent and not voting: Armstrong, Ballard, Brenner, Dusak, Frerich, Haytin, Jensen, MacDonald, McKenna, Martin, Mernin, Page (Granite), Sales, Taylor and Westlake. Total 15.

## MOTIONS AND RESOLUTIONS

Moved by Bricker that House Bill No. 190 be recalled from the Joint Conference Committee. Carried.

Moved by Nixon that further consideration of House Bill No. 190 be indefinitely postponed. Carried.

## REPORTS OF STANDING COMMITTEES

### HOUSE RESOLUTION

Be It Resolved by the House of Representatives of the State of Montana that the following named employees, heretofore employed by the Employment Committee of the House, are to be employed for the post session for the number of days stated below and to take effect after adjournment. The Sergeant-at-Arms is instructed to include their names on the supplemental payroll submitted to the State Auditor:

Dan J. Sullivan .....	10 days
Bruce Toy.....	7 days
Leo Landon.....	7 days
Mrs. Wersland.....	5 days
Mrs. Hardgrove.....	5 days
Mrs. Ramey.....	5 days
Alice Amundson.....	2 days

HESS, Chairman.

Report adopted.

Moved by Loble that the House recess at the call of the chair. Carried.  
House resumed.

### COMMUNICATIONS FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and herewith returned to the House for concurrence in Senate amendments:

House Bill No. 449 by Appropriations Committee.

House Bill No. 451 by Appropriations Committee.

And this day on roll call vote adopted the report of the Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 284

And named the following Joint Conference Committees from the Senate to act with like committees from the House for the consideration of Senate Amendments to House Bills as follows:

For consideration of Senate Amendments to House Bill No. 331: Mahoney, Valiton and Manning;

For consideration of Senate Amendments to House Bill No. 443: Liggett, McQuitty and Wilson of Toole.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

Speaker appointed Tripp of Yellowstone to take the chair.

Committee arose.

Mr. Speaker in the chair.

March 3, 1949.

Mr. Speaker: We, your Committee of the Whole, after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 449 be not concurred in, and a committee of three be appointed to confer with a like committee from the Senate.

Senate Amendments to House Bill No. 451 be concurred in.

Report adopted.

TRIPP (Yellowstone), Chairman.

The Speaker appointed the following members to the Joint Conference Committee to confer with members from the Senate on Senate Amendments to House Bill No. 449: Cotton, MacDonald and Taber.

### THIRD READING OF HOUSE BILLS

The following measures having been read three several times, history

and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Amendments to House Bill 451 was passed by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Silver Bow), Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Duppler, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Hall, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McKenna, Mernin, Mulrone, Oliver, Page (Granite), Page (Missoula), Peters, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Armstrong, Ballard, Clark (Musselshell), Corcoran, Gebhardt, Gunderson, Krieg, Laas, MacDonald, McElwain, Martin, Michels, Nixon, O'Neil, Peterson, Phillips, Sales, Taylor. Total 18.

March 1, 1949.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 36, 105, 106, Substitute 123, Substitute House Bill No. 141, House Bills Nos. 213, 225, 231, 241, 262, 279, 349 and 435.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 36.

I have examined House Bill No. 36 introduced by me and find the same to be correct.

CULBERTSON.

House please take notice that the Speaker is about to sign House Bill No. 105.

I have examined House Bill No. 105 introduced by me and find the same to be correct.

SCOFIELD.

House please take notice that the Speaker is about to sign House Bill No. 106.

I have examined House Bill No. 106 introduced by me and find the same to be correct.

HOLTZ.

House please take notice that the Speaker is about to sign Substitute House Bill No. 123.

I have examined Substitute House Bill No. 123 introduced by me and find the same to be correct.

HARKEN, Chairman,  
Committee on Judiciary.

House please take notice that the Speaker is about to sign Substitute House Bill No. 141.



I have examined Substitute House Bill No. 141 introduced by me and find the same to be correct.

HESS, Chairman,  
Committee on State Boards  
and Offices.

House please take notice that the Speaker is about to sign House Bill No. 213.

I have examined House Bill No. 213 introduced by me and find the same to be correct.

JARUSSI.

House please take notice that the Speaker is about to sign House Bill No. 231.

I have examined House Bill No. 231 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 241.

I have examined House Bill No. 241 introduced by me and find the same to be correct.

DOMKE, et al.

House please take notice that the Speaker is about to sign House Bill No. 262.

I have examined House Bill No. 262 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 279.

I have examined House Bill No. 279 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign House Bill No. 349.

I have examined House Bill No. 349 introduced by me and find the same to be correct.

ESP.

House please take notice that the Speaker is about to sign House Bill No. 435.

I have examined House Bill No. 435 introduced by me and find the same to be correct.

DOMKE.

House please take notice that the Speaker is about to sign House Bill No. 225.

I have examined House Bill No. 225 introduced by me and find the same to be correct.

CLARK (Musselshell).

Moved by Loble that the House recess at the call of the chair. Carried.  
House resumed.

## CONFERENCE COMMITTEE REPORT

March 3, 1949.

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee, appointed to reconsider Senate Amendments to House Bill No. 443, the amendments proposed by the first Joint Conference Committee having been rejected by the House, respectfully report as follows:

That said Senate Amendment amending Section 2, page 4, line 28 of the original bill, being Section 2, page 4, lines 75 and 76 of the printed bill, by striking out the words and figures "Three Hundred Fifty Thousand Dollars . . . \$350,000.00" and inserting in lieu thereof the words and figures "Three Hundred Thousand Dollars . . . \$300,000.00" be amended by inserting in lieu of the words and figures "Three Hundred Thousand Dollars . . . \$300,000.00" the words and figures "Three Hundred Fifty Thousand Dollars . . . \$350,000.00."

That the House of Representatives conceded to all other Senate Amendments to said House Bill No. 443.

For the Senate:

LIGGETT, Chairman,  
McQUITTY,  
WILSON (Toole).

For the House:

O NEIL,  
KRIEG,  
MacDONALD.

Joint Conference Committee report adopted by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Duncan, Dusak, Dwyer, Esp, Ewing, Foley, Ganson, Goodgame, Gunderson, Hall, Harken, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Merin, Michels, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Stanlish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker.  
Total 77.

Noes: None.

Absent and not voting: Ballard, Brenner, Cotton, Culbertson, Duppler, Emmons, Frerich, Gebhardt, Harlow, Hawks, Martin, Sales and Taylor.  
Total 13.

## CONFERENCE COMMITTEE REPORT

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 331, a bill for an act entitled: "An act to amend Section 4, of Chapter 204, the Laws of the Twenty-Ninth Legislative Assembly of 1945, and to appropriate an additional \$250,000.00 out of any monies in the general fund in the State Treasury not otherwise appropriated for the purpose of constructing and furnishing the

'Montana Veterans' and Pioneers' Memorial Building' mentioned in said Chapter 204, of the Laws of 1945; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith;" do respectfully report as follows:

That the Senate recede from all Senate amendments to said House Bill No. 331 be amended as follows: Amend the title of the original bill at line 5, being line 3 of the title of the printed bill, by striking out the figures "\$350,000.00" and inserting in lieu thereof the figures \$325,000.00."

Amend Section 1, page 1, lines 25 and 26 of the original bill, being Section 1, page 1, lines 7 and 8 of the printed bill, by striking out the words and figures "Seven Hundred and Fifty Thousand Dollars (\$750,000.00)" and inserting in lieu thereof the words and figures "Seven Hundred Twenty-five Thousand Dollars (\$725,000.00)"

Amend Section 2, page 1, line 31 of the original bill, being Section 2, page 1, line 3 of the printed bill, by striking out the words and figures "Three Hundred and Fifty Thousand Dollars (\$350,000.00)" and inserting in lieu thereof the words and figures "Three Hundred and Twenty-five Thousand Dollars (\$325,000.00)."

For the Senate:

MAHONEY, Chairman,  
VALITON,  
MANNING.

For the House:

PETERSON,  
LOBLE,  
McELWAIN.

Joint Conference Committee report adopted by the following vote, Senate Amendment to House Bill No. 331:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Ballard, Duncan, Duppler, Dusak, Frerich, Gebhardt, Hawks, Hess, Howard, MacDonald, Martin, Sales and Taylor. Total 13.

## CONFERENCE COMMITTEE REPORT

March 3, 1949.

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 114, having duly considered such amendments, respectfully report as follows:

That the bill be amended by striking out in Section 1, line 4, of the printed bill, after the word "Montana," and before the word "furnish" the

word: "shall" and inserting in lieu thereof the word "may," and that the House amendments be concurred in.

For the Senate:

DOGGETT, Chairman,  
HOFLAND,  
WORDEN.

For the House:

HARLOW,  
ROBERTSON,  
WORKING.

Senate Amendments to House Bill No. 114, Joint Conference Committee report adopted by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Mus-selshell), Clark (Silver Bow), Corcoran, Cunningham, Dokken, Domke, Dusak, Dwyer, Esp, Foley, Ganson, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, Martin, Mernin, Michels, Mulroney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Skibby, Smith, Standish, Taber, Tierney, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 72.

Noes: Brenner, Ewing and Scofield. Total 3.

Absent and not voting: Ballard, Cotton, Culbertson, Duncan, Duppler, Emmons, Frerich, Gebhardt, Harken, Krieg, McKenna, Nixon, Sales, Taylor and Van Dyke. Total 15.

## CONSIDERATION OF MESSAGES FROM THE SENATE

March 1, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day, on roll call vote, adopted the report of the Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 231.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

## CONFERENCE COMMITTEE REPORT

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee on House Amendments to Senate Bill No. 139 and Senate Amendments to House Bill No. 359, having failed to come to an agreement on same, ask that said Joint Conference Committee be discharged.

For the Senate:

GOSMAN, Chairman,  
LARSON,  
WENGER.

For the House:

ARONOW,  
HELDING,  
HAYTIN.

Moved by Smith that the House indefinitely postpone Senate Bill No. 139 and House Bill No. 359.

Substitute motion by Cunningham that Senate Bill No. 139 and House Bill No. 359 be laid on the table.

Mernin rose to a point of order that motion to table is undebatable. Point of order well taken by the Speaker.

Mernin asked for a roll call vote. There being a sufficient number of seconds for roll call vote and Journal entry.

Mernin moved for a call of the house and there being fifteen seconds, the following call of the house was taken: Absent: Ballard, Gebhardt, Martin, Sales, all excused.

Mernin stated that progress having been made that the call of the house be dispensed with.

Roll call vote on the substitute motion to lay on the table Senate Bill 139 and House Bill 359.

Ayes: Andersen (Richland), Armstrong, Bricker, Clark (Silver Bow), Corcoran, Cunningham, Domke, Dwyer, Emmons, Esp, Ewing, Foley, Hall, Howard, Jarussi, Laas, Loughran, McCarthy, McKenna, Mernin, Nixon, Phillips, Pierce, Rostad, Scofield, Smith, Taylor, Tierney, Van Dyke. Total 29.

Noes: Anderson (Phillips), Anderson (Hill), Aronow, Barnard, Beck, Blenkner, Brenner, Burns, Clark (Musselshell), Cotton, Culbertson, Dokken, Duncan, Dusak, Frerich, Ganson, Goodgame, Gunderson, Harken, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jensen, Karlberg, Koch, Krieg, Loble, MacDonald, McElwain, Michels, Mulcrney, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Robertson, Skibby, Standish, Taber, Tripp, Trout, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 53.

Absent and not voting: Ballard, Duppler, Gebhardt, Martin and Sales. Total 5.

Motion lost.

Substitute motion by Cunningham also lost.

Report adopted.

Loble reported that Senate Bill No. 139 had just been killed in the Senate, but it is still in order to move for its return, just as a point of information.

Moved by Peterson that the Senate be requested to return Senate Bill No. 139 to the House. Carried.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

Veto message:

State of Montana  
Office of the Governor  
Helena

March 3, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is Substitute House Bill No. 66 entitled: "An act



to amend section 1882.2 of the Revised Codes of Montana of 1935, as amended by Chapter 109 of the Laws of Montana of 1941, by Chapter 91 of the Laws of Montana of 1943, and by Chapter 128 of the Laws of Montana of 1945, relating to state oil and gas leases, the area to be leased, limitations, term of leases and extension thereof, and agreements for the pooling or acreage with others for the operations for the production of oil or gas, or both; to amend Section 1882.3 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, rentals, therefor, filing fee, contiguity of land leased, cancellation and renewal thereof; to amend Section 1882.4 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, royalty reserved to the state, and time of payment and computation thereof; to amend Section 1882.6 of the Revised Codes of Montana of 1935, relating to state oil and gas leases, work required by the lessee thereunder, extension of time, and modification of existing leases; to amend Section 1882.8 of the Revised Codes of Montana of 1935, relating to amendment of existing state oil and gas leases;" without my approval and with objections thereto.

This is a unique bill in that its main objective has not been a point of controversy either in the Legislature or by the very terms of the bill, but on the contrary the other provisions of the bill appear to be contradictory and uncertain. Furthermore some of the other provisions of the bill have been openly declared unconstitutional by the Attorney General of this State.

The right of the State should always be plain especially where that right involves its school lands which are so necessary to the support of our public schools. Under the present bill one cannot convince himself, that taken as a whole, it will not be detrimental to the interests of the State.

Because of the foregoing facts it appears to me, without question, that this type of legislation should be deferred for some future time when the State and its benefactors can agree on proposed legislation which will promote the interests of the State as well as the oil and gas producers.

JOHN W. BONNER,  
Governor.

Governor's veto on Substitute House Bill No. 66 sustained by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Culbertson, Cunningham, Domke, Duncan, Dusak, Dwyer, Emmons, Ewing, Foley, Frerich, Goodgame, Gunderson, Hall, Harken, Harlow, Harpster, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, Mernin, Michels, Mulrone, Nixon, Oliver, O'Neil, Page (Granite), Peterson, Pierce, Robertson, Smith, Standish, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Judith Basin), and Mr. Speaker. Total 62.

Noes: Aronow, Brenner, Corcoran, Dokken, Esp, Ganson, Hawks, Krieg, McElwain, McKenna, Peters, Phillips, Rostad, Scofield, Skibby, Taylor, Wiedman, Wilson (Treasure) and Working. Total 19.

Absent and not voting: Ballard, Cotton, Duppler, Gebhardt, MacDonald, Martin, Page (Missoula), Sales and Taber. Total 9.

Governor's veto on House Bill No. 329:

State of Montana  
Office of the Governor  
Helena

March 3, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

Returned herewith is House Bill No. 329 entitled: "An act amending

Section 3655, Revised Codes of Montana, 1935, as amended by Chapter 87 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden, his qualifications, salary and duties; amending Section 3664, Revised Codes of Montana, 1935, providing for the appointment and bond of the Superintendent of State Fisheries; amending Section 3665, Revised Codes of Montana, 1935, as amended by Chapter 86 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the salary and expenses of the Superintendent of Fisheries; amending Section 3666, Revised Codes of Montana, 1935, enumerating the powers and duties of the Superintendent of State Fisheries; amending Section 3671, Revised Codes of Montana, 1935, as amended by Chapter 85 of the Session Laws of the Thirtieth Legislative Assembly of Montana, 1947, relating to the State Fish and Game Warden and the employment of clerks and stenographers, providing for the employment of professional legal assistance for the Commission and the State Fish and Game Warden; and permitting the Fish and Game Warden, with the consent of the Commission to establish department divisions and employ necessary personnel; amending Section 3673, Revised Codes of Montana, 1935, requiring reports of the State Fish and Game Warden and of the Commission; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of this act," without my approval and with objections thereto.

The intention of this bill was undoubtedly good in that the Legislature attempted to place the heads of the Fish and Game Department under the State Game Warden so that the warden would be responsible to the Commission and carry out its policies. However, this bill would make the Fish and Game Department a mere agency for the purpose of hiring and discharging a game warden for the reason that Section 5 of the bill allows the State Fish and Game Warden to employ all clerical, stenographic, legal and other help on his own initiative and without the consent of the Commission or the State Board of Examiners. The bill therefore would violate the spirit of our present laws which puts a burden on the State Board of Examiners to approve all appointments which coordinates our executive governmental functions.

JOHN W. BONNER,  
Governor.

Governor's veto on House Bill No. 329 sustained by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Barnard, Beck, Blenkner, Bricker, Burns, Clark (Silver Bow), Culbertson, Cunningham, Dokken, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Ganson, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Loble, Loughran, McCarthy, McElwain, McKenna, Mernin, Michels, Mulrone, Nixon, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 67.

Noes: Armstrong. Total 1.

Absent and not voting: Anderson (Hill), Aronow, Ballard, Brenner, Clark (Musselshell), Corcoran, Cotton, Domke, Duncan, Duppler, Frerich, Gebhardt, Hall, Harpster, Krieg, Laas, MacDonald, Martin, O'Neil, Rostad, Sales and Wiedman. Total 22.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 372, 128, 384, 388, 439 and 442.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 372.

I have examined House Bill No. 372 introduced by me and find the same to be correct.

EMMONS.

House please take notice that the Speaker is about to sign Substitute House Bill No. 128.

I have examined Substitute House Bill No. 128 and find the same to be correct.

HARKEN, Chairman,  
Committee on Judiciary.

House please take notice that the Speaker is about to sign House Bill No. 384.

I have examined House Bill No. 384 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 388.

I have examined House Bill No. 388 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 439.

I have examined House Bill No. 439 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 442.

I have examined House Bill No. 442 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day on motion moved that Senate Bill No. 139 be indefinitely postponed; on motion, the motion for indefinite postponement was laid on the table. Motion carried.

I am directed by the Senate to inform your honorable body that the Senate this day, on roll call vote, adopted the report of the Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 114.

On this day the President of the Senate named the following Conference Committee from the Senate to act with a like committee from the House for the consideration of Senate Amendments to House Bill No. 449: Senators Larson, Markle and Rice.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrolling, to whom was re-

ferred House Bills Nos. 36, 105, 106, Sub. 123, Sub. 141, 213, 225, 231, 241, 262, 279, 349 and 435 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 6:55 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Moved by Loble that the House recess at the call of the chair. Carried.  
House resumed.

### CONSIDERATION OF MESSAGES FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following bills were acted upon as follows:

House Bill No. 147 by Loble and Hawks, concurred in and returned to House.

House Bill No. 445 by Committee on Appropriations, concurred in as amended, title and history agreed to and returned for concurrence in Senate amendments.

House Bill No. 448 by Committee on Appropriations, concurred in as amended, title and history agreed to and returned to House for concurrence in Senate amendments.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day, on roll call vote, adopted the reports of the Joint Conference Committees appointed to consider Senate Amendments to House Bill No. 443 and House Bill No. 331.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

The Speaker asked Tripp of Yellowstone to take the chair.

Committee arose.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the whole, after having had under consideration the following measures, recommend:

Senate Amendments to House Bill No. 445 be concurred in.

TRIPP (Yellowstone), Chairman.

Report adopted.

## THIRD READING OF HOUSE BILLS

The following measure having been read three several times, history and title agreed to, and being an appropriation measure was read at length, passed by the following vote; Senate Amendments to House Bill No. 445:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Harken, Harlow, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Kariberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Mernin, Mulroney, Nixon, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Ballard, Cotton, Duncan, Duppler, Gebhardt, Hall, Harpster, MacDonald, McElwain, Martin, Michels, Sales and Tierney. Total 13.

## GENERAL ORDERS

Moved by Loble that the House resolve itself into Committee of the Whole for consideration of business on General Orders under rules of the previous sitting. Carried.

Speaker asked Tripp of Yellowstone to take the chair.

Committee arose.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole after having had under consideration the following measures, recommend:

Senate Amendments to House Bill 448 be concurred in.

Senate Amendments to House Bill No. 450 be not concurred in, but that a conference committee of three be appointed to confer with a like committee from the Senate.

TRIPP (Yellowstone), Chairman.

Report adopted.

## THIRD READING OF HOUSE BILLS

The following measure having been read three several times at length, history and title agreed to, was disposed of by the following vote; Senate Amendments to House Bill No. 448:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Blenkner, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Cunningham, Dokken, Duncan, Dusak, Dwyer, Emmons, Foley, Ganson, Goodgame, Gunderson, Harken, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, McCarthy, McKenna, Mernin, Mulroney, Oliver, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Wilson (Treasure), Wilson (Judith Basin) and Mr. Speaker. Total 63.

Noes: Aronow, Brenner, Esp, Nixon, O'Neil, Scofield, Westlake and Working. Total 8.



Absent and not voting: Ballard, Beck, Culbertson, Domke, Duppler, Ewing, Frerich, Gebhardt, Hall, Harlow, Howard, MacDonald, McElwain, Martin, Michels, Sales, Tierney, Wiedman and Williams. Total 19.

### CONSIDERATION OF MESSAGES FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the following House Bill was this day recommended for non-concurrence by the Roads and Highways Committee, report adopted, and the bill is herewith returned to the House: House Bill No. 220 by Nixon et al.

I am directed by the Senate to inform your honorable body that the Senate this day on roll call vote adopted the report of the Joint Conference Committee which considered Senate Amendments to House Bill No. 449.

I am directed by the Senate to inform your honorable body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in the Senate Amendments: House Bill No. 450 by Duncan.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

Moved by Loble that the House recess at the call of the chair. Carried.  
House resumed.

### CONFERENCE COMMITTEE REPORT

March 3, 1949.

The Honorable President of the Senate:

The Honorable Speaker of the House:

We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 449, having duly considered such amendments, respectfully report as follows:

That said Senate Amendments amending Section 2, page 5, lines 19 and 20 of the original bill, by striking out the words and figures "Twenty-one Thousand Five Hundred Thirty-five dollars (\$21,535.00)" and inserting in lieu thereof the words and figures "Eighteen Thousand Dollars (\$18,000.00)," not be adopted, and the original figure of \$21,535.00 stand as is.

That the House of Representatives conceded to all other Senate amendments to said House Bill No. 449.

For the Senate:

LARSON, Chairman,  
MARKLE,  
RICE.

For the House:

COTTON,  
TABER,  
MacDONALD.

Conference Committee report on Senate Amendments to House Bill No. 449 was adopted by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Barnard, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harlow, Harpster, Hawks, Haytin, Holding, Hess, Hoiness, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Krieg, Laas, Loble, Loughran, MacDonald, McCarthy, McElwain, McKenna, Martin, Mernin, Michels, Mulrone, Oliver, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tripp, Trout, Van Dyke, Westlake, Williams, Wilson (Treasure), Wilson (Judith Basin), Working and Mr. Speaker. Total 77.

Noes: Brenner and Duppler. Total 2.

Absent and not voting: Aronow, Ballard, Blenkner, Duncan, Gebhardt, Harken, Nixon, Phillips, Sales, Tierney and Wiedman. Total 11.

Moved by Emmons that Senate Amendments to House Bill No. 359 be taken from General Orders and be re-referred to the Committee on Revenue and Taxation.

Substitute motion by Taber that Senate Amendments to House Bill No. 359 be taken from General Orders and be placed on third reading.

Substitute motion for all motions pending by Taber that Senate Amendments to House Bill No. 359 be indefinitely postponed. Moved by Taber for a roll call vote and Journal entry. There being a sufficient number of seconds, the following roll call vote was taken. Carried.

Ayes: Andersen (Richland), Anderson (Hill), Armstrong, Beck, Bricker, Burns, Clark (Musselshell), Clark (Silver Bow), Corcoran, Cunningham, Domke, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Goodgame, Gunderson, Hall, Harlow, Haytin, Hess, Holtz, Howard, Hunter, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, McCarthy, McElwain, McKenna, Michels, Mulrone, Nixon, Page (Granite), Robertson, Rostad, Scofield, Smith, Tierney, Trout, Van Dyke, Westlake and Mr. Speaker. Total 49.

Noes: Anderson (Phillips), Barnard, Brenner, Cotton, Culbertson, Dokken, Duppler, Dusak, Ganson, Harken, Harpster, Hawks, Holding, Hoiness, Krieg, MacDonald, Martin, Mernin, Oliver, O'Neil, Page (Missoula), Peters, Peterson, Phillips, Pierce, Skibby, Standish, Taber, Taylor, Tripp, Wiedman, Williams, Wilson (Treasure), Wilson (Judith Basin), Working. Total 35.

Absent and not voting: Aronow, Ballard, Blenkner, Duncan, Gebhardt and Sales. Total 6.

## MOTIONS AND RESOLUTIONS

Moved by McCarthy for a reconsideration of Senate Amendments to House Bill No. 359.

Speaker declared the motion out of order, stating there was intervening business.

McCarthy did appeal from the decision of the chair. Motion lost.

Ruling of the Speaker sustained.

Moved by Dwyer that the House reconsider its action of today in adopting a Conference Committee report with reference to Senate Amendments to House Bill No. 449.

Moved by Bricker for a recess until 10 P. M. this day. Motion carried.

House resumed.

Speaker appointed Loble, Duncan and Taylor to act with a like committee from the Senate as a Joint Conference Committee on Senate amendments to House Bill No. 450.

### CONSIDERATION OF MESSAGES FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the President this day named the following Conference Committee from the Senate to act with a like committee from the House for consideration of Senate Amendments to House Bill No. 450: Senators Moss, Padbury and Lehrkind.

I am directed by the Senate to inform your honorable body that the Senate this day refused to accede to the request of the House wherein you asked for the return of Senate Bill No. 139.

Respectfully,

CLAUDE J. McALLISTER,  
Secretary of the Senate.

### CONFERENCE COMMITTEE REPORT

To the Honorable President of the Senate  
and

The Honorable Speaker of the House:

We, a majority of your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 450, a bill for an act entitled: "An act appropriating money to the Attorney General for the purpose of law enforcement and declaring an emergency," respectfully report as follows:

That the Senate recede from its amendments to Section 1 of said bill and that said House Bill No. 450 be amended to read as follows:

"Amend by striking out all of Section 1, page 1, lines 28 to 31 inclusive and page 2, lines 1 to 3 inclusive, of the original bill, being Section 1, page 1, lines 1 to 5 inclusive of the printed bill, and inserting in lieu thereof, the following:

"Section 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of \$40,000.00, or so much thereof as may be necessary, to the Attorney General, for the purpose of investigating and prosecuting civil and criminal actions which he may, in his discretion, find necessary in connection with the matters disclosed by the Special Liquor Investigating Committees appointed during the Thirty-First Legislative Assembly, and further, for the purpose of enforcing the gambling, slot machine and other criminal laws of the State of Montana."

And further, that the House accede to all other Senate Amendments to said House Bill No. 450.

For the Senate:

MOSS, Chairman,  
LEHRKIND.

For the House:

LOBLE,  
DUNCAN,  
TAYLOR.

The report of the majority of the Joint Conference Committee on Senate Amendments to House Bill No. 450 was adopted by the following vote:

Ayes: Andersen (Richland), Anderson (Phillips), Anderson (Hill), Armstrong, Aronow, Barnard, Beck, Blenkner, Brenner, Bricker, Burns, Clark (Mussellshell), Clark (Silver Bow), Corcoran, Cotton, Culbertson, Cunningham, Dokken, Domke, Duncan, Holding, Dusak, Dwyer, Emmons, Esp, Ewing, Foley, Frerich, Ganson, Goodgame, Gunderson, Hall, Harken, Haytin, Hess, Hoiness, Holtz, Howard, Jarussi, Jensen, Karlberg, Koch, Laas, Loble, Loughran, MacDonald, McElwain, McKenna, Martin, Mernin, Michels, Mulroney, Nixon, O'Neil, Page (Granite), Page (Missoula), Peters, Peterson, Phillips, Pierce, Robertson, Rostad, Scofield, Skibby, Smith, Standish, Taber, Taylor, Tierney, Tripp, Trout, Van Dyke, Westlake, Wiedman, Williams, Wilson (Judith Basin), Working, Hawks and Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Ballard, Duppler, Gebhardt, Harlow, Harpster, Hunter, Krieg, McCarthy, Oliver, Sales and Wilson (Treasure). Total 10.

#### REPORTS OF STANDING COMMITTEES HOUSE RESOLUTION

Be it resolved by the House of Representatives of the State of Montana that the following named employees, heretofore employed by the Employment Committee of the House are to be employed for the post session for the number of days stated below and to take effect after adjournment. The Sergeant-at-Arms is instructed to include their names on the supplemental payroll submitted to the State Auditor, for the number of days stated below:

Ruby Albright.....	1 day
Kathryn West.....	1 day
Betty Mae DeWolf.....	1 day
Margaret Haag.....	1 day
Ellen Wiedman.....	1 day
Janet Kercher.....	1 day
Nell Zion.....	1 day
Beth O'Brien.....	1 day
Maude Brazier.....	1 day
Clare H. Murfitt.....	1 day
Roselle Forde.....	1 day
Grace Milot.....	1 day
Jean Fallan.....	1 day
Gertrude Kennard.....	1 day
Thomas Courtney.....	1 day
August Berning.....	1 day
Margaret L. Taylor.....	1 day

HESS, Chairman.

Report adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

March 3, 1949.

Mr. Speaker:

I am directed by the Senate to inform your honorable body that the Senate this day on roll call vote adopted the majority report of the Joint Conference Committee which considered Senate Amendments to House Bill No. 450.

Respectfully,

CLAUDE J. McALLISTER, ..  
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report that the following bills are correctly enrolled: House Bills Nos. 147, 192, 284, 331, 383, 443, 445, 447, 448, 451, House Resolution No. 6 and last but not least, House Bill No. 449.

WIEDMAN, Chairman.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR  
STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
HELENA

March 3, 1949.

Speaker of the House,  
House of Representatives,  
Helena, Montana.

I have the honor to advise that I have this day approved the following:

House Bill No. 105.  
House Bill No. 106.  
House Bill No. 123.  
Substitute House Bill No. 126.  
Substitute House Bill No. 128.  
Substitute House Bill No. 141.  
Substitute House Bill No. 167.  
House Bill No. 213.  
House Bill No. 225.  
House Bill No. 231.  
House Bill No. 241.  
House Bill No. 262.  
House Bill No. 279.  
Substitute House Bill No. 298.  
House Bill No. 349.  
House Bill No. 362.  
House Bill No. 372.  
House Bill No. 384.  
House Bill No. 388.  
House Bill No. 420.  
House Bill No. 423.  
House Bill No. 435.  
House Bill No. 439.  
House Bill No. 442.

JOHN W. BONNER,  
Governor.



House please take notice that the Speaker is about to sign House Bill No. 147.

I have examined House Bill No. 147 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 192.

I have examined House Bill No. 192 introduced by me and find the same to be correct.

NIXON, Chairman,  
Highways and Highway  
Transportation.

House please take notice that the Speaker is about to sign House Bill No. 284.

I have examined House Bill No. 284 introduced by me and find the same to be correct.

NIXON.

House please take notice that the Speaker is about to sign House Bill No. 331.

I have examined House Bill No. 331 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 383.

I have examined House Bill No. 383 introduced by me and find the same to be correct.

LOBLE.

House please take notice that the Speaker is about to sign House Bill No. 443.

I have examined House Bill No. 443 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 445.

I have examined House Bill No. 445 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 447.

I have examined House Bill No. 447 introduced by me and find the same to be correct.

PETERSON, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 448.

I have examined House Bill No. 448 introduced by me and find the same to be correct.

PETERSON, Vice Chairman.

House please take notice that the Speaker is about to sign House Bill No. 449.

I have examined House Bill No. 449 introduced by me and find the same to be correct.

PETERSON, Vice Chairman.  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Bill No. 451.

I have examined House Bill No. 451 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

House please take notice that the Speaker is about to sign House Resolution No. 6.

I have examined House Resolution No. 6 introduced by me and find the same to be correct.

FRERICH.

Mr. Speaker: We, your Committee on Enrolling to whom was referred House Bills Nos. 147, 192, 284, 331, 383, 443, 445, 447, 448, 449, 451 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were this day, at the hour of 11:45 o'clock P. M. delivered to the Governor for his approval.

WIEDMAN, Chairman.

Mr. Speaker: We, your Committee on Enrolling to whom was referred House Bills Nos. 128, 372, 384, 388, 439 and 442 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate were this day, at the hour of 9:30 o'clock P. M., delivered to the Governor for his approval.

WIEDMAN, Chairman.

Mr. Speaker: We, your Committee on Enrolling beg leave to report that the following bill was this day correctly enrolled: House Bill No. 450.

WIEDMAN, Chairman.

House please take notice that the Speaker is about to sign House Bill No. 450.

I have examined House Bill No. 450 introduced by me and find the same to be correct.

DUNCAN, Chairman,  
Committee on Appropriations.

### MOTIONS AND RESOLUTIONS

Moved by Loble that the chair appoint a Special Committee of five to notify His Excellency the Governor that the House is about to adjourn. Carried.

Moved by Loble that a committee of five members be appointed to notify the Honorable Senate that the House of Representatives has completed its work and is about to adjourn. Carried.

Moved by Loble that the House recess at the call of the chair. Carried.

House resumed.

House please take notice that the Speaker is about to sign Senate Bill No. 114.

The Speaker named the following members to inform His Excellency the Governor that the House has completed its business and is about to adjourn: Peterson, Duncan, Domke, Scofield, Bricker.

The Speaker named the following members to inform the Honorable Senate that the House has completed its business and is about to adjourn: Harlow, Beck, Burns, Krieg, Armstrong.

House at ease.

House resumed.

The committee from the Honorable Senate composed of Senators Dahl, Haight and Aronson appeared before the bar of the House and informed the Speaker and the House of Representatives that the Senate had completed its labors and was ready to adjourn sine die.

The Speaker expressed the gratitude of the House of Representatives to the delegation from the Senate.

The House committee to report to the Governor returned and Peterson stated: "We, your committee have notified His Excellency, the Governor, that we have completed our labors and are about to adjourn sine die and that the Governor sent his appreciation for the work done by the House of Representatives and expressed his hope that we would all come back and he would be lonesome after our leaving."

Committee discharged.

The House committee to report to the Honorable Senate stated that they had delivered the message of the House of Representatives.

Committee discharged.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bill No. 450 do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, was this day, at the hour of 11:55 P. M. delivered to the Governor for his approval.

WIEDMAN, Chairman.

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal for the Sixtieth Legislative Day, and find the same correct.

HOLTZ, Chairman.

Moved by Loble that the House of Representatives of the Thirty-First Legislative Assembly of the State of Montana does now stand adjourned sine die. Carried.

LEO C. GRAYBILL,  
Speaker of the House.

DAN J. SULLIVAN, Chief Clerk of the House.







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